JOHN McCAIN ON NATIONAL SERVICE

CHARLES PETERS ON THE TERRORIST ATTACK

The Washington Monthly

OCTOBER 2001

$4.50
CAN. $5.50

A Trial Lawyer for President?

Senator John Edwards and the GOP's War on the Right to Sue

By Joshua Green

10>
7 25274 65748 3

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

If You Don't Get It, You Don't Get It. Subscribe to the *Washington Post National Weekly Edition* so you're sure to get it. Every week, be privy to astute analysis of the policies, issues, debates and developments that make the world's pulse race.

Get the inside word: Straight talk from the political pundits. In-depth coverage of the powers that be in Congress, the White House and abroad. Brilliant observations on the day's most significant political events. A roundup of rare, resourceful commentary on the Administration's every move.

This special weekly edition of The Post is read widely with the same high regard as our daily paper. It's full of exclusive reports and expert opinion to help uncover the big-picture implications of today's agenda. It's written by insightful individuals uniquely qualified to interpret the affairs of Washington. Investigative reporters like Bob Woodward. Observers like Jim Hoagland and Robert Samuelson. Plus guest authorities in every field.

Week in and week out, *The Washington Post National Weekly Edition* keeps you abreast of our ever-swirling political scene. Get It?

We Make It Easy To Get It.

Regular features include:

THE CAPITAL
David Broder, the Pulitzer Prize-winning dean of American political analysts offers his penetrating assessment of The Hill, The White House and more.

THE WORLD
Our reporters tell the important stories from the diplomatic front. We identify and examine the effects of events from all corners of the world.

THE ECONOMY
Keep your finger on the financial pulse with forecasts and appraisals that probe beneath the surface for deeper insights.

EDITORIALS
Get the trenchant views as well as our thought-provoking op-ed page. And Herblock, the great Pulitzer-winning editorial cartoonist, offers his slant on today's events.

BOOK WORLD
Learn about the most important new books from well-known scholars, authors and opinion leaders.

POLLS
Find out what Americans think. Our pollsters present data on a wide variety of topics. See what concerns us around the block, around the nation and around the world.

POLITICS
Read about the significant shifts and surges within the parties and among the voters. Get the best coverage of campaigns, elections, ethical issues, referenda, committees, lobbies and policies of America.

COMMENTARY
Some of today's foremost political thinkers and writers debate timely and provocative issues.

SCIENCE
Read about the latest developments and discoveries in the full spectrum of scientific disciplines in today's fast-changing world.

The National Weekly Edition gives you the best of the week from *The Washington Post* in one convenient place. And with 62% off the cover price, there's no reason for you to not get it.

The Washington Post NATIONAL WEEKLY EDITION

Subscription Savings Form

☐ *Yes! Start my one-year subscription (52 issues) to* **The Washington Post National Weekly Edition** *for only $39.00. That's a savings of half off the basic subscription rate and $62.40 off the newsstand price.*

☐ Payment Enclosed
☐ Bill me later.

NAME

ADDRESS

CITY, STATE, ZIP

Complete and mail to:
The Washington Post National Weekly Edition
P.O. Box 37167
Boone IA 50037-4167

Allow 4-6 weeks for your first issue to arrive

SATISFACTION GUARANTEED OR YOUR MONEY BACK ON ALL UNMAILED ISSUES

JWM2001

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Contents

The Washington Monthly

Features

5 TILTING AT WINDMILLS
The Right Response to Terrorism ... Phlebotomized Uranium ... Celebrity Chicken Soup ... Tween Chic ... Stalling at 70 mph.
BY CHARLES PETERS

9 **Slower Than a Speeding Bullet**
Why Amtrak's new Acela looks fast, but isn't.
BY DAVID CARR

14 **Putting the *National* in National Service**
AmeriCorps works. Time to make it bigger.
BY SEN. JOHN MCCAIN

18 **Keeping the Faith**
How Clinton's pet project could help save Bush's.
BY STEVE WALDMAN

22 **Disconnect**
How Bush and Powell are killing the new economy. And how they can turn it around.
BY KAREN KORNBLUH

29 **Publisher Perish**
The coming battle over publishing all scientific journals online for free.
BY NICHOLAS THOMPSON

COVER STORY

34 **John Edwards, Esq.**
Should America elect a trial lawyer president?
BY JOSHUA GREEN

43 **Dear Mr. President, From a Black Dude**
How you can get my vote.
BY TA-NEHISI COATES

48 **Left Hook**
Most people become conservative as they grow older. Am I the only one going the other way?
BY DAVID G. BOWMAN

51 **Reconstructing Rockwell**
How an American icon became an artist.
BY CHRISTINA LARSON

Political Booknotes

54 **Ur-Conservatives**
FRANKLIN FOER reviews JONATHAN SCHOENWALD's *A Time For Choosing.*

The Original Missile Shield
MICHAEL SCHAFFER reviews KENNETH ROSE's *One Nation Underground.*

Dr. Strangelove's Diary
ANDREW COCKBURN reviews EDWARD TELLER's *Memoirs.*

Absolut History
MARKOS T. KOUNALAKIS reviews MATTHEW BRZEZINSKI's *Casino Moscow* and MICHAEL MCFAUL's *Russia's Unfinished Revolution.*

Ethics For Dummies
NICHOLAS CONFESSORE reviews MARTIN & SUSAN J. TOLCHIN's *Glass Houses.*

Clinton Cliffs
JONATHAN ALTER reviews HAYNES JOHNSON's *The Best of Times.*

Departments

2 Letters
20 Memo of the Month
26 Who's Who?
33 Tidbits & Outrages
42 Monthly Journalism Awards

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Letters

Lilly Acres

That Mitch Daniels is dangerous is beyond doubt ("The Third Man," July/August 2001). But if his career at Eli Lilly offers insight to his smarts, his competence is questionable. Daniels was one of the principal architects of Lilly's $4 billion cash acquisition of PCS Healthcare, a leading prescription benefits manager, from McKesson Corp. I was vice president of corporate communications at McKesson at the time, and it was apparent that the Lilly people didn't have a clue as to the nature of the business. Within a couple of years, they sold PCS for $2 billion, and since then, PCS has been sold again for $1 billion. The transaction helped drive McKesson's stock to record levels; I retired shortly after the deal closed and was sorely tempted to name my Sonoma retreat "Lilly Acres," in honor of the folks in Indianapolis who made it all possible.

MARVIN KRASNANSKY
Sonoma, Calif.

Fan-less

Loch Johnson's reference to George H.W. Bush as the "most popular man ever to serve as CIA director" is outrageously wrong ("The CIA's Weakest Link," July/August 2001). Johnson failed to cite any of Bush's accomplishments at the CIA because there were none. Many CIA veterans, including myself, remember that Bush was solely responsible in 1976 for introducing a group of outside experts, the so-called Team B, to critique CIA national intelligence estimates on Soviet strategic capabilities and objectives and thus present a more alarmist alternative view of the Soviet threat. Bush's predecessor, William Colby, blocked efforts to establish a Team B the previous year because he knew that it would lead to the politicization of intelligence. The report of Team B, which was chaired by Harvard Professor Richard Pipes, was declassified and released in 1992, and it was wrong on almost all of its conclusions. The more recent naming of the CIA headquarters building after Bush was a political act, which unintentionally serves to remind us of the dangers of politicization within the intelligence community.

MELVIN A. GOODMAN
SENIOR FELLOW
Center for Intelligence Policy
Bethesda, Md.

Socialists and Socialites

I find it implausible that you would attribute the Humphrey loss to Nixon to the union of Jackie Kennedy to Aristotle Onassis ("Tilting at Windmills," July/August 2001). Humphrey was a whimpering Midwest socialist who turned his back on the American Dream just as McGovern did.

LOUIS DABNEY,
Brookline, Mass.

We've Got Mail

I wanted to give feedback on Brendan Koerner's July/August 2001 article "Click Here for Britney!" I just bought a new computer which is "bundled" with AOL. It's mine to use for six months, free. So I am using it, while I wait for my DSL to arrive. I do not even consider it "the Internet," a feeling akin perhaps to not thinking of Wonder Bread as bread but rather as a distinct baked good. I do not look much at the front page and in fact did so at length only when prompted by Koerner's article. I think perhaps some of the people who are AOL subscribers are like myself—they got it with the computer—or are people who would otherwise find the Internet very difficult to negotiate.

In addition, one cannot expect *The New York Times* to have 29 million subscribers; it is not a general variety paper (I say this as a daily subscriber and devoted groupie of the *Times*). I do not think AOL is targeting me as a typical customer. The typical customer is someone else. In sum, I do not think AOL is even in the journalism game. I enjoyed the column, and I like the scrutiny of large media enterprises such as AOL.

JEANNE BONNER
Greenville, S.C.

Thinking Metrics

Brendan Koerner hit the bull's-eye with his commentary on the rise of AOL and the demise of journalism ("Click Here for Britney!" July/August 2001). As a former Amazon.com employee and a born-again journalist, I can attest that the future is even scarier than Koerner thinks. He fails to mention the gazigabits of data collected by companies like AOL, eBay, and Amazon on "consumer" browsing patterns. It's even more frightening to consider that TiVo's service is capable of monitoring subscribers' viewing habits. Combine the two into an interactive browser and you have customizable content, search agents, direct sales, and brain-dead citizens who don't know the difference between news and propaganda. Great article!

In the future, however, I recommend placing the radio button for the Barnes & Noble link closer to the top [of your web site], since most online readers don't have the attention span to read all the way to the bottom. Whoops! I slipped. Gotta stop thinking metrics. Time to reread my AP bible: "Thou shalt not use 'that' whenever possible; thou shalt not focus on conversion rates."

ERIC K. GILL
Sutter Creek, Calif.

Expensive Taste

The article "Mean Cuisine" (July/August 2001) was very interesting. Why didn't the author ask what kinds of prices Alice Waters charges in her restaurant? She condemns evil, profiteering corporations for what they are doing to food, but I suspect that she isn't forgoing a profit in her restaurant—and a healthy one too, if what people who have eaten there tell me is correct!

GRAYDON FORRER
Washington, D.C.

But Can He Cook?

Greg Critser's piece on the attitude of chefs ("Mean Cuisine," July/August 2001) reminds me of when I was in sales in the food service industry. When calling on a chef in a hospital setting it

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

finally hit me: It is said doctors have egos so large they think they're God. Well, God's ego is so large he thinks he's a chef.

MARK T. SEILER
Bessemer City, NC

Down on the Farm

I applaud your writer, Greg Critser, and his progressive stance against the domination of American farmers over the U.S. food supply ("Mean Cuisine," July/August 2001). Why should we grow our own food here when farming takes up valuable land that could be used more productively for shopping malls that sell imported food? Moreover, farming is messy and smelly, uses up topsoil, and encourages undesirable foreign workers to illegally invade our borders. It's not only much cheaper to import our food from Mexico, Chile, and Guatemala, but if we got rid of all the farms, then illegal aliens would just stay where they are. Even better, those snobby, self-involved chefs would have to import their food, just like the rest of us.

RACHEL DRESBECK
Portland, Oregon

Oops!

Mr. Critser is in error lumping Julia Child and Betty Crocker into the same group ("Mean Cuisine," July/August 2001). Julia Child is a living, breathing human being who has had a profound effect on the quality Americans now expect from their food. Betty Crocker is a fictional character used by General Mills as an advertising tool.

PAMELA TAYLOR
Huntington Beach, Calif.

Fried Green Tomatoes

The jury, as you wrote, is still out on genetically modified organisms (GMOs) ("Mean Cuisine," July/August 2001). Physicians used to appear in ads for tobacco products. I doubt you could get one doctor to endorse those same products today. We learned that they pose a profound risk to a consumer's health. The cigarette industry knew of and lied about those dangers. I don't accuse companies such as Monsanto of repeating big tobacco's crimes. I do, however, see them battling tooth and nail to keep their product from being labeled. If GMOs are safe food sources, the companies that produce them should have no problems letting the public know what they're eating. These companies contend that the public is simply too scared and ignorant to accept GMOs. It's ironic how this attitude mirrors the same Marie-Antoinette-inspired attitude that you tag chefs and "foodies" with. It seems that GMO growers don't want us to have a choice.

F.Y.I. Bouchon is in Yountville, not Napa.

BRANDON NELSON
Napa, Calif.

Peking Ducks

Neither Jacob Heilbrunn's review of Gordon Chang's *The Coming Collapse of China* ("Slouching Tiger" July/August 2001) nor Mr. Chang mentioned what appear to me to be the two most important harbingers of China's future. One is the history of China. For centuries, China has experienced a periodic cycle in which a centralized autocratic government fails to assure its own succession and is overthrown by its own bureaucratic weight. The country then falls apart into separate provinces, each of which hatches a warlord. The warlords undertake to expand their territories by interprovincial wars, and in an elimination sequence, one warlord winds up in control of the whole country, which is then reunited until the new dynasty falls of its own weight.

This cycle has probably been accelerated by the second characteristic of today's China. The Communist leadership has essentially wiped out two generations of potential new leaders. The Long March destroyed the first generation under Communist rule. The Cultural Revolution not only wiped out the second generation, but by closing the colleges and universities, insured that only the children of the current dynastic leadership got any kind of higher education. As the present leadership dies off, there will not be enough educated successors to man this tightly managed state, and we can fully expect it to fall apart yet again.

IRVING LAZAR
Nashville, Tenn.

The Washington Monthly

Editor in Chief Paul Glastris
Founding Editor Charles Peters
Publisher Tara Mansbridge
Editors Joshua Green, Stephanie Mencimer, Nicholas Thompson
Associate Publisher Christina Larson
Contributing Editors Jonathan Alter, Thomas N. Bethell, Tom Bethell, Katherine Boo, Taylor Branch, Matthew Cooper, Michelle Cottle, Gregg Easterbrook, James Fallows, Mickey Kaus, Phil Keisling, Michael Kinsley, Nicholas Lemann, Suzannah Lessard, Arthur Levine, Jon Meacham, Matthew Miller, Timothy Noah, Joseph Nocera, Leonard Reed, John Rothchild, Jonathan Rowe, David Segal, Walter Shapiro, Joshua Wolf Shenk, Scott Shuger, Steven Waldman, Robert Worth
Editorial Advisory Board Charles W. Bailey, Russell Baker, James David Barber, Edgar Cahn, David Halberstam, Richard Reeves, Hugh Sidey
Design Consultant Jandos Rothstein
Interns Benjamin Dolnick, Carmen Mauriello, BonnyRenaye DeWitty, Aileen Torres, Alex Walker
Fact-checker Timothy Dickinson
Proofreaders Sally Cutler, Joe Dempsey

Subscription rates: U.S. and possessions: one year, $44.95; two years, $79.95; three years, $109.95. For Canadian and foreign subscriptions, add $10 for surface delivery; air mail delivery add $32. Back issues, $5. Send correspondence concerning subscriptions and undelivered copies to 733 15th St. NW, Suite 1000, Washington, DC 20005, (202) 393-5155. For subscription complaints and address changes, please call our subscription fullfillment department at 815-734-1207. For address changes, please provide six weeks' notice. *The Washington Monthly* is indexed in the Book Review Index, Political Science Abstracts, Public Affairs Information Service, the Readers' Guide to Periodical Literature, and Ulrich's International Periodicals Directory and may be obtained on microfilm from University Microfilms International, Ann Arbor, MI 48106. For reprint rights call Tara Mansbridge at (202) 393-5155. Published monthly except combined Jan./Feb. and July/Aug. issues by Washington Monthly Publishing, LLC., 733 15th St. NW, Suite 1000, Washington, DC 20005. Printed in U.S.A.

© 2001 Washington Monthly Publishing, LLC. All rights reserved. Reproduction without permission is prohibited.

ISSN 0043-0633. Postmaster: Send change of address to *The Washington Monthly*, 733 15th St. NW, Suite 1000, Washington, DC 20005. Periodicals postage paid at Washington, D.C. and at additional mailing offices. Unsolicited manuscripts must be accompanied by a stamped, self-addressed envelope. Send manuscripts and letters to: Editors, 733 15th St. NW, Suite 1000, Washington, DC 20005 or e-mail to:

editors@washingtonmonthly.com.
The Washington Monthly Online:
www.washingtonmonthly.com

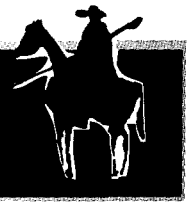
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Lest we forget.

hn Adams Associates Inc.
public affairs consultants
Washington DC

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tilting at Windmills



BY CHARLES PETERS

The Right Response to Terrorism • Phlebotomized Uranium
Celebrity Chicken Soup • Tween Chic • Stalling at 70 mph

ON SEPTEMBER 11TH, I SHARED the heartbreak, outrage, and surge of patriotism experienced by almost every American. As the days went by, however, I began to worry that as a nation we were in danger of losing our cool at a time when keeping cool was crucial.

"In midtown, men in business suits were talking about nuking Kabul," wrote John Tierney in *The New York Times.* Robert Novak, a conservative columnist with excellent Republican sources, quoted a Republican senator "with good ties to the Pentagon" as saying, "we're going to bomb Afghanistan into a parking lot." If you've been to Afghanistan, you know it can't be bombed back into the stone age, because that's where it is now. Kabul has long looked like it was bombed last week. All that the bombing would accomplish, other than killing people, is to rearrange the rubble and turn friends and relatives of the victims into the terrorists of tomorrow.

To the extent we pursue a course of retaliation, the only kind that makes sense is to go after the actual terrorists themselves and the actual officials responsible for harboring them. But we should be aware that even success at getting Osama bin Laden (which I pray we enjoy) may do little about terrorism in general.

Pablo Escobar, the Colombian drug lord, was to the narcotics trade what bin Laden is to terrorism. We took out Escobar and his whole gang. Unfortunately, the drug business still thrives.

The Israelis have been for half a century the world's most skillful retaliators, but all it has brought them is angrier Arabs and more retaliation in return.

I'm far from being a Biblical scholar, but I do remember the passage from Romans that says, vengeance is mine, saith the Lord. It does seem to make more sense to concentrate not on revenge but on preventing terrorism in the future. If, instead of focusing on retaliation, we concentrate on prevention, the main thing we need is a radical improvement of the government agencies involved. On *60 Minutes*, the Sunday after September 11th, Mike Wallace concluded his interview with three top CIA officials with this question: "Do any of you speak Arabic?" The answer came in the form of embarrassed coughs and ahems. The CIA and the FBI and the National Security Agency all need many more employees who know the languages of the Islamic people. Those telephone calls the NSA is eavesdropping on don't do us much good when, as often is the case, they don't get translated. As for the CIA, it recently came to light that one of its employees translated "depleted uranium" into "phlebotomized uranium," something that does not exist.

The CIA and State Department need to change their cultures overseas which have long been defined by an imperative this magazine has called Never Leave the Cities Where the Good Bars Are. The FAA has to stop caving in to the airlines on one safety issue after another, and the Congress has to stop giving in to whatever the airline lobbies want. In other words, government reform must stop being the lonely cause of a few and become an urgent concern of everyone.

In the view of many knowledgeable people, the greatest danger is bioterrorism, and the most likely way it will be inflicted is by private plane. As we pointed out last year, these planes are almost completely unregulated. Any cargo can be put aboard them, and any licensed pilot can fly them. Private pilots, many of whom are rich and powerful—Donald Rumsfeld is one—have fought to keep the FAA from acting.

I have been thrilled by the rebirth of patriotism that we have seen, especially the long lines of people waiting to give blood. But I have to wonder if, day in and day out, people will do what has to be done. Some early signs are not encouraging. Amy Waldman and David Cay Johnston of *The New York Times*, having heard about military recruiters deluged with phone calls from people who said they wanted to enlist, went to recruiting offices and asked if these people had actually come in to sign up. The answer was no. And what became of that patriotic Wall Street rally that was supposed to happen on the Monday the stock market reopened?

But let's assume these signs are not typical and the patriotism is real. If so, I hope it will be manifest in a citizenry that is determined to inform itself about the changes that are needed in government and that is willing to participate in these changes by pressuring their congressmen and by enlisting not only in the military but in the civilian agencies that are crucial to the struggle against terrorism. The educated elite, which has been so notably averse to service since the 1960s, might consider the CIA and FBI, where smart people who can learn

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

languages fast are sorely needed.

Finally, the whole country needs to dedicate itself to understanding the world of Islam. We should not be like the repellant Fox News anchor David Asman, who treated former ambassador Edward Peck with contempt as Peck tried to help viewers understand the Islamic mind. If we're going to eradicate terrorism, we have to understand its causes in order to eliminate them.

••••••••

YOU MAY BE CURIOUS AS TO WHY so few Wall Street big shots were on the list of casualties from the World Trade Center disaster. The reason is that the big shots have their offices in midtown so as to be closer to their Park Avenue dwellings.

••••••••

I WOULD BE DRIVING ALONG and suddenly my Ford Escort's motor would cut out. This was especially disconcerting if I happened to be driving through a busy intersection or in the traffic speeding around the Washington Beltway. My mechanic, usually a very sharp fellow, made several unsuccessful attempts to fix it—after which I would go back out on the road and stall again. Finally he replaced the entire ignition system. That worked. I paid him and forgot about it. Now comes the news that over the last 20 years or so, Ford produced millions of defective ignition systems. The company knew about the problem but failed to tell either its customers or federal regulators.

Company documents show, according to Stephen Labaton and Lowell Bergman of *The New York Times*, "that on the same day in 1986 when the regulators closed their second investigation based on Ford's assurances that there was nothing to warrant a recall, the company's board, meeting privately, discussed the rapidly rising number of complaints about the ignition module." In an additional display of cynicism seemingly designed to confirm the Naderites' darkest suspicions about corporate America, Ford produced a string of safety "experts" who testified that "there was nothing inherently unsafe about a car shutting down on the road." A California judge, outraged by such testimony, exploded, "Take your car out on a freeway and go 70 miles an hour. Shut your engine down and tell me that's not unsafe?"

••••••••

THE FEDERALIST SOCIETY OF the Left that this magazine has long advocated has become a reality. Headed by Peter Rubin, a Georgetown University law professor, the American Constitution Society is loaded with liberal luminaries like Mario Cuomo, Abner Mikva, Janet Reno, and Laurence Tribe. But they are going to need an army of smart young hard-chargers, like those recruited by the Federalists, if they are going to overturn the domination of the federal courts that resulted from Nixon, Ford, Reagan, and Bush appointments, and from Republican foot-dragging on Clinton nominees. Liberals have fought right-wing nominees to the Supreme Court, but have not, as Joseph Califano recently pointed out in *The Washington Post*, been nearly as vigilant when district and circuit court judgeships were involved. And those courts—witness the Microsoft case—play crucial roles.

••••••••

I HAD THOUGHT THAT BANKS were the leading innovators in coming up with new charges. But I have to acknowledge that hotels may overtake them soon. That previously free copy of *USA Today* may now show up on your bill as a 50-cent daily charge. But that's nothing compared to the $10- to $20-a-night "resort fee" that covers the fitness center even though you don't use it. You can also be billed for "charging privileges" even though you don't charge anything. I'm indebted to Michael Dougan and Jenny Strasburg of *The San Francisco Chronicle* for their examples as well as the following, my favorite: Customers of tent cabins at the Tuolumne Meadows Lodge in Yosemite National Park are billed a $3.85 a night "energy surcharge." Sounds reasonable, you say? The only problem is that the tent cabins have no electricity.

••••••••

DESEGREGATION OF SCHOOLS by social and economic class is more important than desegregation by race, Richard Kahlenberg has often argued in these pages. Now comes confirmation of his point in a *Washington Post* analysis of student test scores in Montgomery County, Md.: "Although poor children perform their worst when they attend schools with high concentrations of poverty, they score far higher when they are in more affluent schools."

••••••••

IN THE NEW YORK AND HOLLYWOOD world of press agents for the rich and famous and those who aspire to be rich and famous, one of the great challenges is how to present your client, who is most likely a shark who wants to swim with the other sharks, as a warm and fuzzy human being. A classic technique to that end is to persuade someone who knows the client to say, "He's the very first person to bring you chicken soup on a sick day." Big Apple and Los Angeles hospital visiting rooms must be packed with dear friends clutching soup bowls.

The most recent sighting of this line is an article on Jeff Klein written by Jesse McKinley for the Style section of *The New York Times*. Mr. Klein may be a true prince, a sweetheart of a man, and Mr. McKinley may never have been conned by a press agent—I leave those judgments to the reader—but the chicken-soup quote is right there verbatim. Here are a few other quotes to give the flavor of the article: "People have used the term boutique too loosely," explaining why Klein prefers the term "small luxury hotel" for his City Club, "and now it's becoming clichéd." "The people Mr. Klein is banking on to make the City Club a success are his friends,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

many of them impeccably groomed, impossibly stylish, and above all, impressively rich young women who populate the city's junior benefit committees and gossip columns ... 'My friends have told me, "if we need to sit in your lobby for a week straight so that Page Six will write about it, we will,"' Klein said.

•••••••••

IN OUR LAST ISSUE, I LISTED A series of headlines designed to demonstrate the Bush administration's bias against regulation. Since then, there has been no letup. Consider these recent examples: "EPA Seeks To Scale Back a Clinton Pollution Initiative," "Army Corps Moves to Ease Wetlands Rules"; "Administration Defers Safeguards for Medicaid Patients," and "Under President Bush, Regulatory Rollback Has Major Impact."

Other headlines hint of disasters to come. "Gold Miners Eager For Bush To Roll Back Clinton Rules." In case you didn't read our article about the environmental horrors of gold mining, you should know that it is among the champion producers of toxic waste, using more than 2 million pounds of cyanide a year to separate gold from its ore. And it gets away with paying zero royalties to the federal government for mining gold on federal land.

•••••••••

LIFE HAS BECOME SO HECTIC for many families that, according to a recent article by Katherine Shaver in *The Washington Post*, the only opportunity many parents have for bonding with their children is in the car while driving them to and from school, stores, movies, sports, and other extra-curricular events. But according to a survey reported in an article by Jennifer Harper of *The Washington Times* that appeared the same day as the *Post*'s, this bonding may prove more difficult for the mothers, 92 percent of whom are eating in the car, 72 percent doing their makeup, and 65 percent finishing off their hairstyle. Besides, they may not want the kids around. According to the psychologist Joyce Brothers, "the car has emerged as women's newest personal sanctuary" where "personal reveries" are possible "away from the clatter and clutter of work and family."

•••••••••

YOU MAY RECALL THAT SOME months ago we ran an item about a study of West Virginia's malpractice verdicts by *The Charleston Gazette* that found that runaway jury verdicts were a myth. Now comes a study of punitive damages, reported by William Glaberson of *The New York Times*, that comes to a similar conclusion. Comparing 6,429 cases decided by juries with 2,295 cases decided by judges, it found that juries awarded punitive damages in 121 of their cases, judges in 55 of theirs. In other words, the proportion was slightly higher in the case of judges, not drastically lower as critics of juries lead you to believe. The study also finds that the proportion of punitive to compensatory damages is roughly the same in cases decided by judges and those decided by juries. Only in seven of the 121 jury cases did the myth of the runaway jury appear to have any foundation. This is in accord with my own experience as a lawyer. I was only involved in eight trials, but in every one of them, the jury acted reasonably. See Joshua Green's article in this issue on page 34 for more on this subject.

The CIA and State Department need to change their cultures overseas, which this magazine has long defined as Never Leave the Cities Where the Good Bars Are

•••••••••

A NEW BOOK, *Masturbation: The History of a Great Terror*, reminds me of one of the more bizarre episodes of the last decade, Bill Clinton's firing of Jocelyn Elders as surgeon general because she said a kind word about self-gratification. If he had followed her advice instead of taking away her job, he would have avoided impeachment, not to mention domestic discord.

But what fascinates me most about the Elders case was how few came to her defense, not even the certified Clinton-haters who usually frothed at the mouth at any action he took. My best guess as to why is that most people, even the otherwise sexually sophisticated, are embarrassed by masturbation. The tragedy is that this embarrassment keeps masturbation from being recommended as the best solution to imprudent desire which, in my view, it is. Adolescents, the group Elders was addressing, especially need to be reminded of this way out of situations where heat threatens to overcome judgment.

•••••••••

THE SOFT DRINK INDUSTRY HAS launched a campaign to discourage restaurant customers from drinking tap water. You may have seen *The New York Times* article about Coca-Cola's efforts. But other companies are also involved. For that evidence I'm indebted to Peter H. Gleick, a letter-writer to the *Times* who came up with this quote from Robert S. Morrison, vice chairman of PepsiCo: "The biggest enemy is tap water." And this from the head of Gatorade: "When we're done, tap water will be relegated to showers and washing dishes."

•••••••••

"EDITORS AT THE WORLD'S most prominent medical journals, alarmed that drug companies are exercising too much control over research results, have agreed to adopt a uniform policy that reserves the right to refuse to publish drug-company sponsored studies unless the researchers involved are guaranteed scientific independence," reports *The Washington Post*.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

My only question is why hasn't this always been the policy? What does that say about the quality of research that has been reported in the past by such prestigious publications as *The New England Journal of Medicine*, *The Lancet*, *The Annals of Internal Medicine*, and *The Journal of the American Medical Association?* It seems that, although nominal authors of the studies may have been medical-school professors, much of their research has been paid for by the drug companies and, in the words of the *Post*, "in large measure carried out, by companies with an enormous financial stake in the outcome. Company employees usually collect and analyze the data, and they often decide how it should be presented and write the reports."

Kabul has long looked like it was bombed last week.

Marcia Angell, a former editor of *The New England Journal of Medicine*, tells the *Post* that in the case of large company-sponsored drug trials, all of the information collected is held by the company: "Not even the principal author sees all the data."

••••••••

THE ACLU IS A WORTHY organization but sometimes it gets its knickers in a twist unnecessarily. An example is its recent attack on a Virginia law requiring a moment of silence in public schools. The law does not demand that students pray, which would give the ACLU reason to get excited. Instead, it says that the minute can be used "to meditate, pray or engage in any other silent activity." What's wrong with that? Most schools desperately need a quiet moment. My only worry is how some wise guy student will interpret "any other silent activity."

••••••••

WE PROMISE NOT TO TARGET young people with our advertising. That's what the tobacco companies said in the 1998 settlement of the suit brought against them by the attorneys general of 46 states. Specifically, tobacco agreed not to place cigarette ads in a magazine with more than 15 percent of its readers under 18 years of age, or with more than 2 million readers under 18. But Big Tobacco was, as is its unhappy custom, lying. Twenty-three percent of *Rolling Stone's* readers are under 18. But both R.J. Reynolds and Brown & Williamson use its pages to promote such brands as Camel and Kool. *People* has 2.7 million readers under 18. It publishes advertising by Newport. *Sports Illustrated* has 4.9 million readers under 18 and it carries advertising by R.J. Reynolds. What is being done about this outrage? So far, only one of the tobacco companies is being sued—and by only five states. And sadly, the original reporting about it was done not by a major newspaper or magazine but by *The New England Journal of Medicine*. *The New York Times* gave the *Journal* story major play, but it is one of the handful of publications, including *The Washington Monthly*, that do not accept tobacco ads. Most magazines and newspapers remain in Big Tobacco's pocket. And it appears most of the attorneys general have lost the dedication that led them to pursue the original suit. If the settlement is to be meaningful in terms of reducing tobacco use, the states must be vigilant in enforcing it.

••••••••

HOWARD DEAN ANNOUNCED that he is retiring as governor of Vermont. Maybe he should join the ranks of Democratic presidential candidates. Here's why: As a result of his programs, 92 percent of Vermont adults and 94 percent of the state's children are covered by health insurance. No other state comes near this figure. He also has a great conservation record, having set aside hundreds of thousands of acres to keep Vermont green. And he signed Vermont's ground-breaking law that permits gay marriage.

••••••••

THE ADVERTISING IN MANY OF the better publications is dedicated to promoting a kind of mindless "if it's more expensive, buy it," consumerism. The entire New York fashion industry is based on encouraging faddism in which whatever was "in" last year is "out" this year. The current issue of *Vogue* runs 722 pages devoted to doing just that. But the much more intellectually respectable publications are involved in the same game. Just consider the message conveyed by the ads in *The New Yorker* and *The New York Times*.

And the shopping advice by these publications is similar in tone. Take the items recommended in the Back to School edition of Ellen Tien's column in *The New York Times* Sunday Style section. Fall "tween" chic is defined by "blazers from Burberry's nouveau-establishment children's line" at $150; jeans from Helmut Lang at $170, boots from Hogans at $159 to $179, and Marc Jacobs Grafitti sweatshirts for only $98. "Upscale kids are tired of No. 2 pencils, so they're upgrading," writes Tien. "Those who find Eberhard Faber too blah can get a set of Tod's natural wood logo pencils and a leather case in camel or black," for $320.

All this is far from the world in which I grew up in the 1930s. Conspicuous consumption, including spending a lot on clothes, was definitely out. In fact, sophistication was scorned. Instead, the commonsense wisdom of Will Rogers was accorded the highest esteem. Norman Rockwell, about whom Christina Larson writes in this issue on page 51, perfectly captured the national self-image of that era. It may have been guilty of ignoring the darker side of mankind, but it was gloriously free of the snobberies that hold such powerful sway over today's educated elite.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Slower Than A Speeding Bullet

Why Amtrak's new Acela looks fast, but isn't.

BY DAVID CARR

TWO-YEAR-OLD RYAN KINNEY looks up as a steely apparition pulls silently into Boston's South Station. A smile fights its way in between cheeks engorged with half-chewed McNuggets.

"Acela," he says happily.

That's epic branding, a Pavlovian depth of consumer affiliation that makes marketing executives hug each other. And it's brought to you by Amtrak, the rail transportation apparatus of the U.S. government, an agency not historically celebrated for its warm relationship with the general public.

"It was one of his first words," says Ryan's grandmother, Barbara Hurley.

Every Tuesday afternoon, Hurley picks up Ryan and his four-year-old brother, Patrick, and heads for the Route 128 station outside Boston. They're all train freaks, the kind of civilians who live to be kissed by the wind of a passing behemoth. The three watch several trains go by before grabbing a local to the station for lunch, but nothing rivets Ryan like the Acela.

There's a reason for that. If a small child could conjure a grownup train, he might make something that looked like the Acela Express. (The nomenclature is a conflation of "acceleration" and "excellence.") Christened last November, Acela is a land jet with the nose of a 747 fronting a vast expanse of windowless grillwork that conceals tons of mechanical fury just waiting for a spark from the overhead wire. Back where the passengers sit,

Photo courtesy of Amtrak Corporate Communications

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

there's enough tricked-up gadgetry to put an arch in James Bond's eyebrow. On a northbound Boston trip recently, a guy in a suit stepped up to the whooshing electronic door at the end of car and said, "Open the pod door, Hal."

An American version of the bullet train, Acela is capable of speeds in excess of 150 miles an hour and tilts niftily up on its side to take the steepest bends, the better to keep those nasty G-forces at bay. As a matter of design, Amtrak's high-speed entrant is bolted together to avoid the pushes and pulls of common rail conveyances, and is powered by electric motors less noisy than a lot of room air conditioners. Double-size windows suffuse the church-quiet transportation pod with light. The chairs—designed after careful market research on 25,000 riders in the Northeast corridor—make the middle seats on a DC-9 seem medieval.

Such town-car amenities and aerodynamics didn't come cheap. The government-owned rail agency has sunk an unprecedented $1.7 billion into Acela, hoping to make the leap into the 21st century after largely bypassing the 20th. To hedge its bets with the traveling public, Amtrak spent millions just on marketing its land yacht—a full year before there was ever a train to ride on. The promise of a bona fide American bullet train has certainly caught the attention—and the imagination—of the American public, but thanks to a combination of politics and performance, Acela hasn't quite lived up to the hype.

When it pulled into the Boston station at 9:30 one night last summer, dozens of people surged out to meet it. But they were there to get a look at the equipment, not the people it brought. Acela is that rare piece of hardware, like the re-designed VW bug, that makes people smile involuntarily when they see it. Hurley says Acela has riveted her grandson from the moment he saw it: "It's so sleek and beautiful. But our understanding is that as pretty and modern as it is, it doesn't really save you much of any time."

Grandma Hurley may have a soft spot for trains, but she's no sucker. The quickest Acela can go between New York and Boston is three-and-a-half hours. Fifty years ago, the New Haven Railroad's Merchants Limited made the trip in four. Three-quarters of the way into its maiden season, the best the bullet can do is save you the same 30 minutes over the Acela Regional, as the Northeast Direct is now called. (Between Washington and New York, people on the "high-speed" train can expect to pull in a whopping 15 minutes ahead of those traveling on legacy technology.)

The meager minutes saved hardly match the mystique, nor do they derive from Acela's bulleting along at 150 miles an hour. The train hits top speed once, for a couple of minutes, on the flats on the Boston-New York leg; the rest of the time it floats along relatively prosaically under 100 miles an hour, something steam trains accomplished a century ago. The Acela Express only beats the old trains to New York because it makes fewer stops and doesn't have to switch to diesel now that the line has been electrified all the way to Boston.

In the end, Acela is functionally the same old Amtrak with a bullet-train bonnet, running on track that includes tunnels dating back to the Civil War and switching equipment not much younger. And it must share those tracks with freight rail companies. High-speed trains in Europe and Japan run on mostly straight, dedicated tracks between major metropolitan areas, and they are very fast. Those countries don't even consider a train high-speed unless it travels at least 125 miles an hour. Such technology typically blossoms in smaller countries that have the will to invest in infrastructure that make trains truly competitive with airlines and make cars seem silly. But in America, the term "bullet train" is more marketing rubric than paradigm-shifter.

When pressed about the slowness of its high-speed train, Karen Dunn, an Amtrak spokeswoman blames the media for hyping expectations, saying that Amtrak never claimed that Acela was a bullet train (an assertion somewhat hard to square with Amtrak's Web site which promises that Acela "zips along at 150 miles an hour.") Dunn insists that the trains are meeting the agency's expectations and brags that they have shaved almost one-and-a-half hours off the trip between New York and Boston. (Schedules show a difference of barely an hour, which stems from non-stop service, not the new technology.) While Amtrak expects to knock 20 more minutes off the New York-Boston leg, Dunn concedes that the United States will probably never have a true bullet train.

"We have a problem Europeans and Japanese don't: we are dedicated to our cars," she explains. "There's not enough room in this country to build tracks to accommodate high-speed rails."

There's something incredibly American about this particular failure. No other developed nation on earth would fall for a train that looked fast but wasn't. In Japan, the responsible executives would prostrate themselves and hint at suicide. European parliaments would convene, names would be taken and blame assigned. But here, performance is a vestigial issue and Acela simply

---

DAVID CARR *writes for the* Atlantic Monthly *and* New York Magazine.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

another form of expensive techie jewelry.

Building a real bullet train would have required some very un-American impulses. In the U.S., the good of the whole comes to a screeching halt just about the time Amtrak's congressional overseers interject pork-barrel politics and anti-government ideology that batters the "public" part of public transportation. And the idea of investing in infrastructure for a vehicle that can't be personally captained sounds almost silly. Trains? Who the hell rides the damn things apart from the rest of the known universe? In America, trains are for losers who have no place to go.

Acela is functionally the same old Amtrak with a bullet-train bonnet, running on track that includes tunnels dating back to the Civil War and switching equipment not much younger.

Bullet Train Bonnet

The promise of an American bullet train was born and almost immediately died in the months when Congress passed the Amtrak Reform and Accountability Act of 1997, which essentially laid the groundwork for dismantling the government's passenger-rail monopoly. While it allowed Amtrak, for the first time, to close money-losing routes and to add new ones, and infused $2.2 billion in capital funds, the law also required Amtrak to become self-sufficient within five years; if Amtrak didn't make the mark, a newly created Amtrak Reform Council could draft a plan to liquidate the entire system. (The council, which is supposed to guide Amtrak towards self-sufficiency, is co-chaired by rabid anti-government activist Paul Weyrich, and is stacked to the gills with conservatives appointed by Newt Gingrich and Trent Lott.)

Never mind that the national rail agency, christened in 1970, is no more likely to pull itself into the black than Congress is. After 26 years and $22 billion in federal operating subsidies, Amtrak has never made a profit, and it is so deep in debt that it could never survive without federal funds. But having been told to conduct itself like an American business, Amtrak has complied in full, blowing its wad on Acela, which is supposed to boost Amtrak's cash flow by 2002.

So far, the rail agency has spent $800 million on 20 new train sets, which are being produced by a consortium of Canada's Bombardier Transportation and France's Alston Ltd. (makers of the eye-popping TGV). Twelve have been delivered and another eight are due by the end of the year, despite the fact that there is not a single track in the country outside the Northeast corridor on which those new trains can run. And there won't be for many years, a problem Amtrak is well aware of. The new trains will simply replace the old Metroliners on the Northeast corridor.

In bringing Acela to America, the agency ignored time-tested extant bullet-train technology and insisted on developing its own. It scrimped on the R & D, delivered the product late to market with unreliable technologies, initiated an ad campaign before the train existed, and have since used the conventions of marketing to obscure the product's failure to do what it was designed to do. You generally expect an entity with that kind of m.o. to be listed on the NASDAQ.

To build a real bullet train in the Northeast, an undeniable civic and national good, would have taken substantial money—at least $12 billion just to upgrade the Washington to New York leg—a lot of which would have gone to the kind of infrastructure improvements politicians can't cut ribbons on. (For the same reason, Amtrak spent millions renovating New York's Penn Station, even though the tunnels leading to it are decrepit and offer no realistic escape route if anything goes wrong. And now that Penn Station has been primped within an inch of its life, Amtrak has announced that it will use its portion of the station as collateral on a $300 million loan to meet operating expenses.)

Amtrak runs just like any other government program, which means that moneys have to be atomized across a broad constituency of politicians to cobble together a voting coalition.

The deals required to create that coalition explain a lot of Amtrak's current troubles. Already, former Senate Majority Leader Trent Lott (R-Miss.) has successfully lobbied to get one of the 10 or so scheduled new high-speed rail lines to go through—you guessed it—Mississippi.

The Magnolia State isn't exactly on the top of transportation planners' priority lists, but no matter. Money that might otherwise go towards developing better

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tracks from Los Angeles to San Francisco or safer tunnels at Penn Station may very well end up electrifying rail lines along that highly traveled "southeast corridor" between Meridian, Mississippi, and Dallas, Texas.

As John Robert Smith, mayor of Meridian (and Amtrak board member), told the National Conference of Mayors this year, "Southern Mississippi can be on the leading edge of the development of high-speed cars."

With fares that nearly match the airlines', Amtrak has made Acela a kind of rolling gated-community, a clean, comfortable place where business can be conducted.

Good Lookin' Hot Dogs

Because Amtrak can't offer customers speed, it has had to focus on selling the *frisson* of Acela. U.S. Airways shuttle flights run on the hour between New York and Boston and New York and Washington, taking just an hour. Even factoring in ever-increasing delays and the hellish cab rides to Logan and LaGuardia, Acela can't compete in terms of time.

"They promise you prime rib, but what you are getting is good-looking hot dogs," says Joseph Vranich, author of *Derailed: What Went Wrong and What to Do About America's Passenger Trains.* "We now have a train that is attractive, with a number of really nice amenities, but it is insufficient to drive air passengers from the busiest air traffic corridor in our country. Even if it's successful from a financial standpoint, it will not cause the removal of a single commercial flight."

When Acela was christened last November, the former chair of Amtrak's board of directors, Gov. Tommy Thompson of Wisconsin, suggested: "Every generation is marked by breakthroughs that profoundly affect our society. The launch of the Acela is one of those defining moments."

As I write this, we are limping over degraded track outside Stamford, Connecticut. Acela's fancy undercarriage banishes the clak-clak that has been part of train travel ever since John Henry first drove a spike. But the eerie quiet means that I get to listen to the guy across the aisle bray into a cell phone about his recent negotiation with a car salesman, all the time gesturing with a giant can of Fosters I'm pretty sure he didn't buy in Acela's Jetson-like café car.

One of every four seats is occupied. In the cafe car—the only such car in America offering draft beer—the bartends explained that this train wasn't on the original schedule, and so people weren't showing up yet. I suggest that this might also be because it costs twice as much as a regular train and takes three times as long as flying. (A one-way Acela ticket between Washington and Boston costs $162, compared with $69 for the regular train, and $168 round-trip for a ticket on Southwest Air.) The bartender says that travelers are choosing Acela Express for other reasons.

Acela draws a different sort of trade, he said, gesturing around, implying that his train was expensive enough for the busy business traveler to escape crying kids, fat guys chomping on smelly sandwiches, or grandmas brandishing an endless ream of photos. Indeed, Acela just doesn't have room for those guys. It has only 304 seats, compared to 700 on the European TGV trains—another reason the tickets cost so much. By granulating its audience through fares that grow to nearly match the airlines,' Amtrak has made Acela a kind of rolling gated community, a clean, comfortable place where business can be conducted.

People also ride Acela for the same reason that they spend $200,000 on a powerboat that carries two people: because wasting money is fun and makes them feel alive. If only Amtrak could figure out a way to let passengers drive the train for the brief minutes it approaches top speed, they'd have a winner on their hands.

The inside of an Acela does have its merits. You could play racquetball inside the massive bathrooms and it's nice to do your business standing up without having to put yourself in sync with the sway of traditional trains. The interior features that same odd combination of faux luxury cheesiness sported by the current crop of new cars—there's lots of that pristine ubiquitous plastic and fabrics that haven't hosted thousands of other odor-emitting humans.

But even on the level of service and creature comforts, Amtrak has a way to go. The airline shuttles offer nice new equipment, too, with televisions in each seat, lots of music to choose from, and, let's not forget, stewardesses. On the Acela Express, I did have a Maine lobster roll, but it cost $8.50 and I had to stand in line 15

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

minutes to get it.

Amtrak didn't need lobster rolls to get in the game. If its high-speed trains had actually been able to get from New York to Washington, or Boston to New York, in less than two hours, they would have been swamped. Rail has a significant head start because its relatively smaller footprint than those of airports and because it can be tucked underground in major metropolitan areas. The fight to get to LaGuardia or Logan, plus a growing collapse in the nation's air traffic grid should have put Acela way out in the lead; instead, all the horsepower stays in the barn.

In order to convince people that Acela is the way to go, Amtrak has had to change the subject. The Acela Express is marketed the way airline travel used to be. Remember when traveling by airplanes was glamorous, the stewardesses offered leis to travelers in between serving up recognizable food on fine china? Then came deregulation, and it was goodbye *filet de boeuf* and hello four-peanut polybag. The airlines' fleets became buses with wings, accessible to all at a manageable price, as long as they didn't mind riding with their heads in the armpits of the guys next to them. Now Acela is re-introducing the traveling public to fine china, at least in first class, in an age when time is the most desperately sought luxury of all.

Trains have defined and enabled progress throughout American history, but now, so manifestly overtaken, they cling quaintly to a very minor role in American travel. According to Amtrak, the federal government spent $33 billion last year on highways and $12 billion on aviation, while Amtrak had to do with $500 million, less than one percent of all transportation spending. People generally chock up the lack of rail investment to Americans' dysfunctional relationship with the automobile, but it's really their submission to the clock that has sent trains running backward. Once airplanes went supersonic, trains became rolling anachronisms.

And that's where they sit. As it is, trains are lying in wait for a perfect storm, a time when the country's air traffic and highway grid irreparably melt down. Even now, Amtrak gets a fair amount of business off the airlines when there's mayhem in the skies as there was last month, but its hoping for more than referrals. Amtrak had hoped that Acela would inspire the kind of wonder that would renew the country's love affair with the train while filling its coffers (and saving it from congressional dismemberment), but there's little magic in a bullet that goes too slow to actually hit the target. ●

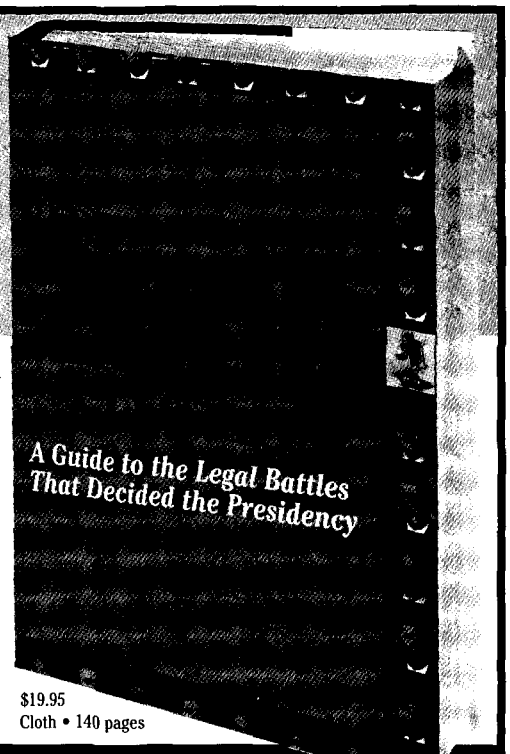
No Politics, No Kidding

The Only Non-Partisan Assessment of the 2000 Election

"A clear, sophisticated, and accessible guide through the thicket of law and politics that surrounded the most surreal Presidential election of modern times."
—George Stephanopoulos

"Thoughtful, illuminating, highly readable.... The author promises to break down the complexity of the legal issues—and succeeds brilliantly."
—Yale Kamisar, University of Michigan

"With a generous perspective that highlights his sense of the good faith of each of the conflicting participants, Greene reveals the 2000 presidential election as a triumph of law and civility over brute politics and unprincipled power."
—Geoffrey R. Stone, University of Chicago



$19.95
Cloth • 140 pages

NEW YORK UNIVERSITY PRESS
1-800-996-NYUP
www.nyupress.nyu.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Putting the *National* in National Service

AmeriCorps Works. Time to Make It Bigger.

BY SEN. JOHN MCCAIN

AMERICA IS WITNESSING A WELCOME blooming of popular culture chronicling the contributions of the generation that lived through the Depression and vanquished fascism. From *Saving Private Ryan* to Tom Brokaw's *The Greatest Generation* to Stephen Ambrose's *Band of Brothers*, Americans are hungry to learn about the heroic service of our parents and grandparents. Some of the commentary surrounding this positive trend, however, has been wistful, even pessimistic. While rightly celebrating the feats of the World War II generation, many pundits bemoan the lack of great causes in our day and doubt whether today's young people would be willing to make the sacrifices necessary to meet such challenges, even if they existed.

I believe these commentators have it wrong. During the last presidential race, I had the privilege of traveling the country and meeting vast numbers of young people. I cannot express how impressed I was. With energy and passion as contagious as it was inspiring, these young Americans confided their dreams and shared their aspirations, not for themselves alone, but for their country. Their attitude should come as no surprise. Though today's young people, according to polls, have little faith in politics, they are great believers in service. Indeed, they are doing volunteer work in their communities in record numbers—proof that the urge to serve runs especially deep in them. Indeed, most Americans share this impulse, as witnessed after last month's terrorist attacks, when thousands of Americans lined up to give blood and assist in rescue efforts. It is time we tapped that urge for great national ends.

And it is not true, as the cynics suggest, that our era lacks great causes. Such causes are all around us. Thousands of schools in our poorest neighborhoods are failing their students and cry out for talented teachers. Millions of elderly Americans desperately want to stay in their homes and out of nursing facilities, but cannot do so without help with the small tasks of daily life. More and more of our communities are being devastated by natural disasters. And our men and women in uniform are stretched thin meeting the vital task of keeping the peace in places like Bosnia and Kosovo.

Beyond such concrete needs lies a deeper spiritual crisis within our national culture. Since Watergate, we have witnessed an increased cynicism about our governmental institutions. We see its impact in declining voter participation and apathy about our public life—symptoms of a system that demands reform. But it's a mistake, I think, to believe that this apathy means Americans do not love their country and aren't motivated to fix what is wrong. The growth of local volunteerism and the outpouring of sentiment for "the greatest generation" suggest a different explanation: that Americans hunger for patriotic ser-

JOHN MCCAIN *is a U.S. Senator from Arizona.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

vice to the nation, but do not see ways to personally make a difference.

What is lacking today is not a need for patriotic service, nor a willingness to serve, but the opportunity. Indeed, one of the curious truths of our era is that while opportunities to serve ourselves have exploded—with ever-expanding choices of what to buy, where to eat, what to read, watch, or listen to—opportunities to spend some time serving our country have narrowed. The high cost of campaigning keeps many idealistic people from running for public office. Teacher-certification requirements keep talented people out of the classroom. The all-volunteer military is looking for lifers, not those who might want to serve for shorter tours of duty.

Conservatives feared that AmeriCorps would be another wasteful "big government" program. We were wrong.

The one big exception to this trend is AmeriCorps, the program of national service begun by President Bill Clinton. Since 1994, more than 200,000 Americans have served one-to-two-year stints in AmeriCorps, tutoring school children, building low-income housing, or helping flood-ravaged communities. AmeriCorps members receive a small stipend and $4,725 in college aid for their service. But the real draw is the chance to have an adventure and accomplish something important. And AmeriCorps' achievements are indeed impressive: thousands of homes constructed; hundreds of thousands of senior citizens assisted to live independently in their own homes; millions of children taught, tutored, or mentored.

Beyond the good deeds accomplished, Americorps has transformed the lives of young people who have participated in its ranks. They have begun to glimpse the glory of serving the cause of freedom. They have come to know the obligations and rewards of active citizenship.

But for all its concrete achievements, AmeriCorps has a fundamental flaw: In its seven years of existence, it has barely stirred the nation's imagination. In 1961, President John F. Kennedy launched the Peace Corps to make good on his famous challenge to "[a]sk not what your country can do for you, but rather what you can do for your country." Since then, more than 162,000 Americans have served in the Peace Corps, and the vast majority of Americans today have heard of the organization. By contrast, more than 200,000 Americans have served in AmeriCorps, yet two out of three Americans say they have never heard of the program.

If we are to have a resurgence of patriotic service in this country, then programs like AmeriCorps must be expanded and changed in ways that inspire the nation. There should be more focus on meeting national goals and on making short-term service, both civilian and military, a rite of passage for young Americans.

Service Economy

National service is an issue that has been largely identified with the Democratic Party and the left of the political spectrum. That is unfortunate, because duty, honor, and country are values that transcend ideology. National service, both civilian and military, can embody the virtues of patriotism that conservatives cherish.

More than a decade ago, the patron saint of modern conservatism, William F. Buckley, Jr., offered an eloquent and persuasive conservative case for national service. In the book *Gratitude*, Buckley wrote, "Materialistic democracy beckons every man to make himself a king; republican citizenship incites every man to be a knight. National service, like gravity, is something we could accustom ourselves to, and grow to love."

Buckley was right, but it's fair to say that it took a while before we conservatives accustomed ourselves to the idea. Indeed, when Clinton initiated AmeriCorps in 1994, most Republicans in Congress, myself included, opposed it. We feared it would be another "big government program" that would undermine true volunteerism, waste money in "make-work" projects, or be diverted into political activism.

We were wrong. Though AmeriCorps' record is not untarnished, the overall evidence for its effectiveness is hard to deny. For instance, AmeriCorps members tutored over 100,000 first-through-third graders during the 1999-2000 school year. On aver-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

age, those children scored significantly higher on reading performance tests than would otherwise have been expected, according to Abt Associates, an independent evaluation firm. Having seen results like these-and having often seen AmeriCorps members work on the ground—more and more of my GOP colleagues have changed their minds about the program. Forty-nine of 50 governors, 29 of them Republicans, signed a letter last year urging Congress to support AmeriCorps. One of the signers was then-Texas Governor George W. Bush. As president, Bush put forth a budget that keeps AmeriCorps at its current level of members—the ultimate sign that national service today has truly bipartisan support.

Those who claim their liberty but not their duty to the civilization that ensures it live a half-life, indulging their self-interest at the cost of their self-respect.

Part of what conservatives admire about AmeriCorps is that it strengthens "civil society"—the rich web of neighborhood, nonprofit, and faith-based groups outside of government that provide services to those in need. This is built into the decentralized design of the program. Most AmeriCorps funding is in the hands of state governors, who give it to their National and Community Service Commissions, who in turn make grants to local nonprofits, who then recruit and hire AmeriCorps members. The vast majority of AmeriCorps members are thus "detailed" to work for organizations like Habitat for Humanity, the Red Cross, or Big Brothers/Big Sisters. They become, in effect, full-time, paid staff members of these often-understaffed organizations.

Rather than elbowing out other volunteers, as many of us feared, AmeriCorps members are typically put to work recruiting, training, and supervising other volunteers. For instance, most of the more than 500 AmeriCorps members who work for Habitat for Humanity spend less time swinging hammers themselves than making sure that hammers, nails, and drywall are at the worksite when the volunteers arrive. They then teach the volunteers the basic skills of how to hang drywall. As a result, studies show that each AmeriCorps member generates, on average, nine additional volunteers.

The ability to provide skilled and motivated manpower to other organizations is what makes AmeriCorps so effective. But it also creates a problem. AmeriCorps members often take on the identity of the organizations they're assigned to. In the process, they often lose any sense of being part of a larger national service enterprise, if they ever had it at all. Indeed, staffers at nonprofit groups sometimes call AmeriCorps headquarters looking for support for their organizations, only to find out that *their own salaries* are being paid by AmeriCorps. It's no wonder most Americans say they have never heard of the program. And a program few have heard of will obviously not be able to inspire a new ethic of national service.

I believe AmeriCorps needs to be expanded and changed, in ways that do not alter those aspects of the program that make it effective, but that build greater *espirit de corps* among members and encourage a sense of national unity and mission.

There is no doubt that this can be done because some smaller programs within AmeriCorps are already doing it. One example is City Year, an AmeriCorps effort that began in Boston and is now operating in 13 American cities. City Year members wear uniforms, work in teams, learn public speaking skills, and gather together for daily calisthenics, often in highly public places such as in front of city hall. They also provide vital services, such as organizing after-school activities and helping the elderly in assisted-living facilities.

Another example is AmeriCorps' National Civilian Community Corps, a service program consciously structured along military lines. NCCC members not only wear uniforms and work in teams, as City Year members do, but actually live together in barracks on former military bases, and are deployed to service projects far from their home base. This "24/7" experience fosters group cohesion and a sense of mission. AmeriCorps' NCCC members know they are part of a national effort to serve their country. The communities they serve know that, too.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In April of last year, when the Mississippi's flood waters threatened the town of Camanche, Iowa, an AmeriCorps NCCC team was brought in to coordinate volunteers and help plug leaks in the town's levee. "This AmeriCorps crew has probably single-handedly saved $1 million to $1.5 million worth of property damage since they've been here," Camanche Public Works Director Dave Rickertsen told the *St. Louis Post Dispatch*. NCCC teams also helped out last year after floods in Ohio and Florida, a hurricane in North Carolina, and forest fires in six western states, providing disaster relief to an estimated 33,500 people. This year they've been dispatched to help combat nine floods and dozens of forest fires.

When not providing disaster relief, NCCC teams often work in national parks, clearing overgrown trails and rebuilding cabins. In the spring, they help Habitat for Humanity run its Collegiate Challenge, a program that convinces thousands of college students each year to spend their spring breaks not in bars in Ft. Lauderdale but building homes for low-income families.

In May of last year, one NCCC crew descended on the home of Stella Knab, an 80-year-old former cleaning lady, now confined to a wheelchair. Knab lived with her handicapped son in New Orleans' Bywater district, in a decrepit house with cracked plumbing and rotted wood floors with holes big enough for neighborhood rats to pay visits. The NCCC team moved Knab and her son into a motel for two weeks, and in partnership with a local non-profit group, the Preservation Resource Center, completely gutted and rebuilt the interior of her house. "It was pretty scary. I really can't imagine someone living like this," Paula Dora, 23, one the AmeriCorps members, told *The New Orleans Times-Picayune*. "It felt more like the Third World than it did the 'Land of the Free.' It feels so good to be able to make such a difference."

Only about 1,000 of AmeriCorps' 50,000 members are a part of NCCC. City Year accounts for another 1,200. Congress should expand these two programs dramatically, and spread their group-cohesion techniques to other AmeriCorps programs. Indeed, the whole national service enterprise should be expanded, with the ultimate goal of ensuring that every young person who wants to serve can serve. Though this will require significantly more funding, the benefits to our nation will be well worth the investment. At the same time, we must encourage the corporate sector and the philanthropic community to provide funding for national service, with federal challenge grants and other incentives.

We must also ask our nation's colleges to step up to the plate and more aggressively promote service. Currently, only a small fraction of college work-study funds are devoted to community service, far less than what Congress originally intended when it passed the Higher Education Act in 1965. Congress must encourage universities to comply with the intent of the act to promote student involvement in community activities.

We should also be concerned by the growing gap between our nation's military and civilian cultures. While the volunteer military has been successful, fewer Americans know and appreciate the sacrifices and contributions of their fellow citizens who serve in uniform. The military is suffering severe recruitment problems.

In the past, it has been a rite of passage for our nation's leaders to serve in the armed forces. Today,

Photo courtesy of the: The Corporation for National Service.

AmeriCorps volunteers aid in disaster-relief efforts.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fewer and fewer of my congressional colleagues know from experience the realities of military life. The decline of the citizen-soldier is not healthy for a democracy. While it is not currently politically practical to revive the draft, it is important to find better incentives and opportunities for more young Americans to choose service in the military, if not for a career, then at least for a limited period of time.

For example, an important responsibility of our armed services is peacekeeping around the world. Often, this involves non-military activities such as constabulary work. The military should explore whether short-term enlistees could fulfill these responsibilities, freeing other personnel to perform more traditional military duties.

We should also undertake a campaign to revive Reserve Officer Training Corps (ROTC) on college campuses across the country. On many campuses, ROTC was expelled as a result of protests during the Vietnam War. One result has been an ever-declining number of college graduates choosing military service as a career. Congress should consider linking financial aid to the willingness of colleges to allow ROTC back on campus. It is truly outrageous that some colleges receive federal aid while forbid-

Keeping the Faith

By Steve Waldman

PRESIDENT BUSH ON MAY 21, went to the campus of Notre Dame University to unveil his beloved "faith-based initiative" to give federal support to religious organization that deliver services to the needy. Curiously, Notre Dame was also the site of Bill Clinton's first major speech about his "pet idea"—national service. In 1991, as he campaigned for president, it was here that he laid out his vision for a program that would enable young people to perform community service in exchange for college aid, an idea that later became a new program, AmeriCorps.

This is more than just an historical coincidence. In many faiths, including Catholicism, service and belief in God are linked. That's certainly the case at Notre Dame. Indeed, upon graduating, some 60 graduating seniors annually enlist in a university-run program called the Alliance for Catholic Education. The program trains these students as teachers and places them for two-year stints in parochial schools throughout the South, in return for small stipends and help paying off their college loans. It would be hard to think of a faith-based effort that would be more appealing to the education-minded Bush. But here's the irony: The program is partly paid for by AmeriCorps.

It's now become clear that the key to making Bush's pet idea succeed is to make Clinton's pet idea bigger.

When President Bush offered his plans for promoting faith-based charity soon after taking office, he mentioned three initiatives. First, he promised to change the tax code to give charitable deductions to those who don't itemize their tax returns—a great idea, but one he quickly abandoned so he would still have enough money for the rest of his tax cut.

Second, he proposed giving grants to religious groups to help them do good works. Some variant of this idea could still become law but in a far more modest form, thanks to opposition from liberals fearful of church-state problems and conservatives fearful of government manipulation of religion.

Third, Bush suggested (somewhat to the surprise of other Republicans who had become accustomed to attacking AmeriCorps) that national service should also be part of the mix.

Now that the prospects for the first two proposals have dimmed, it falls to the third—national service—to carry through the faith-based initiative. And that's a good thing, because AmeriCorps is in many ways the perfect vehicle to promote faith-based action.

When I worked at the Corporation for National Service in 1995—as senior advisor to the CEO Harris Wofford--I was surprised to learn how many AmeriCorps members were quietly working with faith-based groups. And the marriage between AmeriCorps and religious groups has only grown since then. Currently about 6,000 of AmeriCorps' 50,000 members work in faith-based groups, from the National Jewish Coalition for Literacy, to Lutheran Services in America, to the Christ House homeless shelter.

There was a certain amount of suspicion among faith groups when AmeriCorps first started making its members available to help. Millard Fuller, founder of Habitat for Humanity, originally turned down AmeriCorps' offer, fearful of government entanglement. But he was overruled by his board and is glad that he was. Habitat is now one of the largest AmeriCorps programs, employing several hundred members, most of whom recruit and train other volunteers. Fuller says that thousands of homes Habitat builds for low-income Americans could not have been built without

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ding access to an organization that promotes the defense of our freedoms.

In America, our rights come before our duties, as well they should. We are a free people, and among our freedoms is the liberty to care or not care for our birthright. But those who claim their liberty but not their duty to the civilization that ensures it live a half-life, indulging their self-interest at the cost of their self-respect. The richest men and women possess nothing of real value if their lives have no greater object than themselves.

Success, wealth, celebrity gained and kept for private interest—these are small things. They make us comfortable, ease the way for our children, and purchase a fleeting regard for our lives, but not the self-respect that, in the end, matters most. Sacrifice for a cause greater than self-interest, however, and you invest your life with the eminence of that cause.

Americans did not fight and win World War II as discrete individuals. Their brave and determined energies were mobilized and empowered by a national government headed by democratically elected leaders. That is how a free society remains free and achieves greatness. National service is a crucial means of making our patriotism real, to the benefit of both ourselves and our country. ●

the help of these AmeriCorps members.

Habitat has become so mainstream, we might forget that it has a religious core. Its official mission statement reads: "Habitat's ministry is based on the conviction that to follow the teachings of Jesus Christ we must reflect Christ's love in our own lives by loving and caring for one another." Yet while I worked at the Corporation I heard not a single reported complaint about the AmeriCorps members' role in any faith-based group. At Habitat sites, for instance, members are given the choice of whether they want to participate in the pre-work prayers; if they do, they do so as private citizens.

Because AmeriCorps aid goes to an individual rather than a program, it becomes akin to Pell Grants or student loans. It is perfectly constitutional for a 20-year-old to use a Pell Grant to go to Catholic seminary. It is viewed as constitutional because the aid is going to the student not to the school (even though the school clearly benefits).

Another reason AmeriCorps is a particularly good fit with the faith-based initiative relates to red tape. One of the chief complaints about the Bush administration's proposal to give government grants to faith-based organizations is that the money will come with all kinds of mandates and accounting requirements that might alter the religious nature of the organizations that accept it. With AmeriCorps, however, accountability questions are simpler to answer. For the most part, the government wants to know what the AmeriCorps member is doing, rather than what the group as a whole is doing. To a great extent, it doesn't matter how much of Habitat's budget goes to administrative overhead or overseas missions or salaries. What matters is that the AmeriCorps member is working hard and accomplishing something.

AmeriCorps is especially easy on the little guy. Bush administration officials have said they want to devise a program that can help small church-based programs, not just national charities. But little churches or charities have a hard time participating in grant programs. If you have only a minister and a volunteer secretary, it's not likely you'll be able to write grant proposals, keep evaluation records, and prepare audits. But service programs can be structured so that all the program has to do is welcome in an idealistic young person, put her to work, and keep track of what she does.

Imagine if there were a special core of AmeriCorps members specifically tasked to help small houses of worship and religious group? The impact could be far greater than if we forced these little churches to try to apply for government grants.

There are encouraging signs that the Bush administration understands the potential role of AmeriCorps. Bush, after all, appointed his close ally, former Indianapolis Mayor Stephen Goldsmith, to be both chairman of the Corporation for National Service, which administers AmeriCorps, and a key player in the faith-based initiative. And before he left as head of the White House's faith-based initiative office, John DiIulio placed two of his top aides at the Corporation for National Service.

The only problem is that, so far, Bush has been timid in his use of AmeriCorps, neither increasing nor decreasing the size of the program. But now other aspects of his faith-based initiative are running into roadblocks. If the president wants his signature program, the faith-based initiative to be significant, as he has repeatedly pledged, his best option may be to dramatically increase the size and funding of Clinton's signature program, AmeriCorps. God works in mysterious ways.

STEVE WALDMAN, *a contributing editor for* The Washington Monthly, *is the founder of* Beliefnet.com.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Memo *of the* Month

FEMA/USFA/NFA-ERT:SS
August 1997

EMERGENCY RESPONSE TO TERRORISM
SELF-STUDY

U. S. Department of Justice
Office of Justice Programs – *Bureau of Justice Assistance*
Federal Emergency Management Agency
United States Fire Administration - National Fire Academy

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The editors and staff of *The Washington Monthly* wish to express ...

◆ our condolences—and offer our prayers—for the families and friends of the innocent people murdered on September 11;

◆ our awe of the bravery of the rescue workers who rushed to the scenes of devastation—and our grief for those who did not return;

◆ our support for the president, Congress, and the men and women of our armed forces, intelligence services, and diplomatic corps, who must now respond as a team to these atrocities with force, resolve, and wisdom;

◆ and our pride in the American people, who have reacted to these attacks with expressions of patriotism and a unity of purpose that would make the Founders proud.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Disconnect

How Bush and Michael Powell are killing the New Economy. And how to turn it around.

By Karen Kornbluh

On the last Friday in August, President Bush, fresh from his vacation in Texas, was asked by a reporter about his plans to address the frustration so many Americans currently face trying to get high-speed Internet access. The president didn't appear terribly worried. "The technologies are evolving," he said, with equanimity. His only concern was that "the economic slowdown will perhaps slow down some of the progress made, as far as high-speed access." The possibility that the telecom industry's collapse and the sudden scarcity of high-speed access might have been a major *cause* of the economic slowdown did not seem to have occurred to him.

Weeks later, America suffered a devastating terrorist attack in the heart of New York City's financial district. It's too early to know what the full economic effect of the attack will be. But it's clear that the economy was already in trouble, and that the telecommunications sector was at the heart of the problem. Consider this: The drop in market value among telecommunications service providers and equipment makers accounts for more than 90 percent of the net loss in stock wealth since the spring of last year, according to an in-depth analysis by *The Wall Street Journal.*

To understand what's really going wrong with the economy, and how he might help turn it around, Bush ought to talk with the folks at Rhythms NetConnections, an Englewood, Colorado, company that provides high-speed, high-capacity, always-on "broadband" Internet connections. Rhythms is one of dozens of firms that sprang to life and helped drive the boom economy of the late 1990s, after Congress had passed the Telecommunications Act of 1996, which sought to replace monopoly regulation of local phone service with the sort of competition that Rhythms and its many contemporaries represented. The telecom bill mandated that the regional monopolies known as the Baby Bells—currently four behemoths: Qwest, SBC, Verizon, and BellSouth—sell access to what industry types have dubbed the "last mile"—literally, the copper wires connecting each business and home to the public network. Rhythms planned to access these wires and increase their network's speed and capacity through Digital Subscriber Line (DSL) technology, giving customers Internet access far superior to the dial-up access most were accustomed to using. In 1999, a year after it began providing service, Rhythms had one of the most successful IPOs in history. It quickly grew to 2,000 employees, expanding its service to 75 markets. Rhythms had customers, growing revenues, a real business plan, and—unlike most dot-coms—a product for which people were eager to pay.

Unfortunately, the company quickly ran into a problem it couldn't control: the Bells. In order to operate its business, Rhythms needed the Bells' cooperation on matters such as letting Rhythms install equipment in the Bell "office"—the local hub of the Internet's vast hub-and-spoke system. But Rhythms, as a Bell "customer," was also a competitor; the Baby Bells had their own, pricier broadband services they wanted to sell to customers. Cooperating with Rhythms, as the telecom act requires, would mean cutting into their own revenues. So, perhaps not surprisingly, customer service wasn't always spectacular. Rhythms says the Bells repeatedly delayed or cancelled appointments to connect customers—costing Rhythms $150 each time it sent a truck to a customer site. Sometimes, Bell service people would wire up a new customer but somehow forget to pass that information on to Rhythms, causing infuriating delays for customers. The Bells also charged through the nose for Rhythms to set up equipment in its local offices. For their part, the

Karen Kornbluh *is a Markle Fellow at the New America Foundation. She was Director of the Office of Legislative and Intergovernmental Affairs at the FCC and Deputy Chief of Staff at the Treasury Department in the Clinton Administration.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Bells claim competitors like Rhythms also made mistakes and broke appointments. "It's a two-way street," insists one Verizon spokesman. Nevertheless, while the Bells are among the most profitable companies in America, their behavior drove up Rhythms' costs and scared off potential customers. In early August, Rhythms filed for bankruptcy and informed its customers it would discontinue all service.

That wasn't bad news just for Rhythms, but for companies across the country that relied on its service. One of them is Technology Service Corporation in Trumbull, Connecticut, a 15-person employee-owned engineering firm that helps governments and large companies install radar and other sensor equipment. TSC uses broadband every day—sending and receiving, for instance, huge data files containing the images of future airports in Canada or Taiwan. Until it installed a $300-a-month DSL connection from Rhythms, TSC did very little international business because shipping reams of technical data overseas was too cumbersome and expensive. Now, 15 percent of TSC's business is international, and operations manager Allan Corbeil doesn't think the company could "do any business without it." Hearing that its broadband company went bust was "like hearing the mail man isn't coming." Corbeil scrambled to find another broadband supplier. But when we spoke in early September, Corbeil was still worried. The new supplier couldn't guarantee that its service would be up and running by the time Rhythms' went dark—and there were troubling signs that even this new company might go out of business.

It's the Phones, Stupid

If cyber-geeks selling their BMWs were the most visible sign of the dot-com crash, then the failure of companies like Rhythms signals a much more important collapse in high tech. Scores of such companies have closed up shop, and DSL prices have risen substantially After several years of exploding growth, deployment of DSL actually slowed in the second quarter of this year, helping to set off a chain reaction. As broadband services failed to take off, companies stopped buying new computers and software, which hurt suppliers and left massive inventory on the shelf or in the ground.

Over the last few years, companies such as MFS-WorldCom and New Edge Networks have spent $90 billion to dig up the nation's streets and lay millions of miles of fiber-optic cable (the "superhighway" of data networks), while companies like PSINet have installed the equipment along the line that directs Internet traffic. That, incidentally, is the massive project responsible for creating the endless traffic jams and muffler-busting ruts in the road we've all had to endure. All of it would have been worthwhile if it had enabled millions of small and medium-sized businesses to get broadband, and allowed services dependent on broadband, like video conferencing, to take off. Unfortunately, the way to get to the new data superhighway is through the old "last mile" of copper wiring, which the Bells control and resist sharing. As a result, most of the $90 billion in new fiber-optic cable lies dormant in the clay; according to a Merrill Lynch study, only 2.6 percent is in use. Meanwhile, PSINet declared bankruptcy in May. And millions of Americans whose mutual funds invested in companies like PSINet are significantly poorer.

The telecom industry's collapse has been a major source of our short-term economic woes. By some estimates, the decision of many companies to forego spending on new telecommunications equipment accounts for nearly one-quarter of the drop in economic growth.

Though the popping of the dot-com bubble has been the favorite media angle, *The Wall Street Journal* estimates that many more jobs have been lost in telecom. Analysts predict that the telecom industry could default on as much as 20 percent of the $700 billion in debt it has accrued in the last few years. Banks and other lenders holding that debt are tightening their lending practices. That hurts the ability of other companies to get financing and for the economy as a whole to rebound.

The telecom collapse threatens equally serious long-term effects. The economy boomed in the late '90s largely because productivity—output per worker—nearly doubled to 2.6 percent annually, from an average of 1.4 percent in the '70s, '80s, and early '90s. Booming productivity, after all, led to the lower unemployment and inflation and higher economic growth that distinguished the "new economy." And according to Federal Reserve Chairman Alan Greenspan, productivity shot up because companies began using new data networks to get efficiencies out of the computers they'd bought. But now that the rollout of these data networks is slowing, productivity growth rates are threatened. Speeding up the spread of broadband could give the economy the lift it needs.

Grand Master Chef

The telecom crisis is a problem that government largely created and one that only government can fix, by changing the law to create real market-based competition. Unfortunately, instead of taking on the Baby Bells and their monopoly power, some in Congress are trying to tilt the law further in their favor while the Bush Administration remains firmly seated on its hands.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Though the president urgently convened a task force to address an uncertain energy situation, he hasn't set up a similar body, or even chosen a point-person in the White House, to deal with the telecom crisis.

How can the administration remain so passive in the face of a shriveling industry so vital to the nation's economy? The answer seems to be part anthropology, part ideology, and part politics. The president and the vice president know energy. They have firsthand experience of what oil, or the lack of oil, can do to an economy—in Midland in the 1980s and nationwide in the 1970s. When it comes to energy, they are government activists. They want billions of dollars in industry subsidies and enhanced federal power to override state and local governments to get more electric generating plants and power lines operating.

When it comes to industries it's unfamiliar with, however, such as telecom, the administration reverts to its default ideological position, which is that government should get out of the way and let market forces work. Also, the big-name CEOs most concerned about telecom's collapse and the slow spread of broadband are the high-tech leaders of California—a blue state on the electoral map. As we saw in the grudging federal response to California's electricity crisis earlier this year, the Bush administration has limited enthusiasm for reaching out to a state that it's almost certain to lose in 2004.

Instead, Bush has left the fate of the telecom industry—and by extension, the U.S. economy—in the hands of someone ideologically opposed to action: Michael Powell, chairman of the FederalCommunications Commission(FCC) and son of the Secretary of State. Powell, who graduated from law school in 1993, is very smart, but less seasoned than his Clinton-era predecessors, Reed Hundt and William Kennard. That hasn't prevented him from passionately defending his firmly held views. Whereas Hundt and Kennard saw their jobs as promoting competition, innovation, and industry growth through government action, Powell has staked out a hands-off program of deregulation, at times appearing to welcome the massive disinvestment in the industry he oversees. In May, he stated, "I think if there's one very good thing that will come out of the current conditions, I hope, is greater sobriety in thinking about what could be expected." He has also said that he is "not the grand master chef of competition," suggesting the market will produce competition.

The problem with such views is that without action the outlook for the struggling U.S. economy could be grimmer still: slower or negative economic growth, slower productivity growth, higher unemployment, an even weaker stock market, and higher inflation.

Thinking Outside the BOCs

For most of the last century, Ma Bell was a regulated monopoly, stumbling along making huge profits even as it missed numerous opportunities to innovate. Only in the 1970s, thanks to what is known as the FCC's "Carter phone" decision, could people buy their own phones and plug them into a "jack" in the wall. Prior to that, wires came out of a hole in the wall and went directly into the back of the black Bell phone.

Then, in the 1980s, the FCC required the phone company to allow firms with private data networks, like Prodigy, CompuServe, and EDS, to connect to the phone network. The FCC also exempted these data providers from paying into the Byzantine cross-subsidy system that sloshed money around within the monopoly. This kept down the cost of the emerging data networks, and later, Internet access provided by companies like AOL.

In 1984, Federal Judge Harold Greene ordered AT&T to divest itself of its regional monopolies and required these regional bell operating companies (BOCs) to allow long-distance competitors access to their local networks. After divestiture, companies such as MCI and Sprint invested in fiber-optic cable and, with surprisingly effective ads about such things as pins dropping, forced AT&T to follow suit. Investment in fiber increased 82 percent in 1985 alone. The cable which these companies laid became the cross-continental Internet "backbone," and long-distance prices have since declined steadily.

The '96 Telecommunications Act took the next step, mandating that the Bells open up their networks so that competitors could lease parts of, or in some cases the entire, system. More than 300 new competitors came into existence—companies such as Rhythms, Covad, Allegiance, and Northpoint. Their rise stirred the Bells from their slumber. Before the 1996 act, overall investment by the Bells was declining. Afterwards, investment in the local network doubled, and even the Bells started investing more.

The new local competitors created by the act offered Internet access, web site hosting, and DSL connections. With the addition of DSL equipment in the local hub (or office), the Bell wires can carry more traffic, 20 to 30 times faster, providing the advantages of a dedicated fiber-optic connection over shared, existing copper wires. The Bells could have done this earlier, but absent the spur of competition, they didn't. Now they, too, have begun offering DSL service. Today data represents about 75 percent of all network traffic, up from 50 percent in 1998.

The rest of the story is familiar to anyone who reads

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the business pages. Firms throughout the economy reorganized the way they did business to take advantage of the new, fast networks, developing just-in-time inventory systems, on-line industry market places, and countless other strategies that have helped them become more efficient. These efficiency gains led to the near doubling of the growth rate of output per worker, which in turn has increased overall economic growth, lowering unemployment and checking inflation.

Productivity gains have slowed over the last year, but not because the broadband market has been saturated. In fact, 90 percent of small- and medium-sized companies still don't have it. This suggests that there is still vast untapped potential in the economy. Moreover, new products—video conferencing, voice-recognition software and integrated voice-data-video services that can make possible, for instance, electronic doctors' visits—are teed up and ready to soar the day that a critical mass of homes and businesses have broadband. But thanks to the telecom crisis, that day now looks to be years further off than anyone thought.

Our streets were torn up to lay in $90 billion worth of fiber-optic lines, which now mostly lie dormant in the clay.

Though Bush the policymaker seems unaware of what the telecom collapse means for the economy, Bush the worker-in-chief has grasped the advantages of the new technology. In August, he had fiber-optic lines installed at his ranch in Crawford, Texas.

By allowing new competitors into the local phone market, the 1996 telecom act helped create the new economy. But it contained a fatal flaw. It allows the Bells to control new entrants' access to customers, even as the two compete for these same customers. The competitors are akin to the Gingerbread Boy of the fairy tale, riding across the river on the nose of the hungry fox. Their sole means of transportation has every incentive to do them in.

The act did offer the Bells one enticement to cooperate: If they would open up their markets to competitors and play fair, the FCC would grant them permission to get into the business of providing long-distance service. But that market that has become less desirable as prices in long distance have dropped. The Bells still control more than 90 percent of the local lines in the country, but have opened local markets sufficiently to obtain FCC approval for long-distance entry in only five states.

Broadband competitors and customers tell of nightmares similar to those experienced by Rhythms and TSC. Consider the case of the Philadelphia Eagles. The City of Brotherly Love's beloved National Football League franchise normally gets what it wants, when it wants it—from vendors, the media, or government officials. But it had a very different experience when it tried to obtain broadband so that architects in California, designing its new stadium, could share construction documents with its contractor, Turner Construction, in Philadelphia. Suddenly, the Eagles felt like nobodies at a crowded, fancy restaurant who hadn't called ahead for reservations, with the local Bell monopoly, Verizon, playing the role of the snooty maitre d'.

In April, the Eagles asked broadband provider Allegiance to bring high-speed Internet access to the construction site. But when Allegiance contacted Verizon, the company said it had no record that such an address existed—even thought it had recently laid more than 100 phone lines at that very site. For weeks, Allegiance, Turner, and Verizon argued back and forth over the issue of the address. Finally, Verizon confirmed that, yes, there was indeed such a place. But Verizon then claimed it didn't have the technical equipment in the area to support a broadband line to the site and that it would be months before service could be up and running. Meanwhile, John McCulloch, the information systems manager at Turner, began to feel the heat from the Eagles' front office, which was afraid the delay would hit the press. Finally, Verizon ran an extra line for broadband out to the stadium. After further delays, Allegiance was able to provide service at the end of August. Verizon says that its first record of the project is in July and that these processes are extremely complex. Allegiance says that its records show it contacted Verizon in May, and that it can't understand why the project took three months. All John McCulloch of Turner knows is that he was left to use painfully slow dial-up connections to transfer files, slowing the project and increasing costs.

Quote the Ravens

The government has taken a few steps to rein the Bells in. Between December 1999 and April 2001, the FCC and state regulators fined Verizon $233 million, SBC $175 million, Qwest $78.6 million, and BellSouth $805,000. Powell has asked that the fines the FCC can impose be increased to $10 million.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

But for companies with annual revenues of tens of billions of dollars, such fines are a drop in the bucket and not nearly enough to save the competitive market. Since November 1999, more than 25 local competitors have filed bankruptcy. The trade publication *DSL Reports* inaugurated a DSL deathwatch list. To be sure, some of this carnage was the result of the telecom competitors' own extravagance and hubris. PSINet, for example, probably had no business paying $100 million to put its name on the Baltimore Ravens' football stadium. Still, the competitors never had a chance so long as the Bell monopolies raised their costs and prevented them from serving their customers and bringing in revenue.

The Bells are consolidating their position (they now control 75 percent of the DSL market) and in an information sector where prices tend to fall, they have recently raised the price for their residential DSL from $39.95 to $49.95 a month. And in many parts of the country, the only robust broadband option they offer small businesses is a T-1 line—at costs of $1,000 and up.

The Bells' hammerlock on the market is not only slowing the spread of broadband, but raising legitimate concern that the Bell's restoration to power may slow future innovation. Just as Microsoft can leverage its monopoly in operating systems to control web browsing, word processing and other desktop products, the Bells are already leveraging their monopoly in DSL into Internet access. Soon they'll be able to constrain choices at the next layer up, the content layer. One day, you may access the Internet through your Bell DSL and be directed to certain favored sites—sites with which the Bell has a financial agreement. That could be perilous for numerous new technologies, such as software that transmits voice data over the Internet, a technology that

Who's Who

BY PAUL GLASTRIS

If it's true that the Vietnam War dragged on so long because the sons of America's elite weren't dying in the rice paddies, then it's possible that the coming war against terrorism will be handled differently and, one hopes, better. Virtually the entire elite class in New York City and Washington, D.C. had some direct personal experience with the horrors of September 11. Solicitor General **Ted Olson** lost his wife, conservative commentator **Barbara Olson**, in the plane that smashed into the Pentagon. CNN's **Greta Van Susteren** witnessed the explosion from a parking lot a mile away at Reagan National Airport. It was impossible to work in D.C. that day and not be affected by events. The offices of this magazine, two blocks from the White House, had to be evacuated, and police carrying machine guns kept the staff and everyone else out of the area for the rest of the day. And of course, things were immeasurably worse in New York, where it seems as if everyone knows someone who was killed, or at least knows their family. The Oklahoma City bombing was horrible, too, and the whole county was genuinely moved by it. But the elite experienced that event from a distance, by watching it on TV. It occurred in a city most of them had never visited, to people most didn't know. This time, it's personal.

Days prior to the attack, Republicans were beginning to panic amid signs that the economy is doing worse, not better, since President **George W. Bush** signed his big tax cut. At a private dinner at Washington's Metropolitan Club, senior Bush adviser **Karl Rove** was subjected to what *The New York Times* calls an "unvarnished critique" of the president's style and strategy on economic issues by a gathering of top GOP leaders. The group including former RNC Chairman **Haley Barbour**, former Reagan Chief of Staff **Kenneth Duberstein**, consultant **Charles Black**, pollster **Linda DiVall**, and former congressmen **Bill Paxton** and **Vin Weber**. So what was the "new" idea the group pushed on Rove? More tax cuts, specifically of the capital gains tax.

It must be of some comfort to President Bush knowing that his longtime aide **Joe Allbaugh** is in charge of the Federal Emergency Management Agency (FEMA), which is directing relief efforts in the wake of the terrorist attacks. But for some months this column has pondered the significance of the fact that Allbaugh got the yeoman's assignment of running FEMA, whereas Rove, another longtime aide, gets to run the White House. Now, **Paul Burka** of the *Texas Monthly* speculates that this curious division of labor may explain why the Bush administration has veered so consistently to the right, when as governor Bush was seen as much more moderate and accommodating. During Bush's gubernatorial years, Burka notes, Rove was political

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

threatens the Bells' highly profitable local telephone business.

The Bell restoration is frustrating even the ultimate tech monopolist, Bill Gates. In early September, Gates urged the government to solve the broadband problem, which he said is limiting a "miracle environment" of new applications, thanks to ever-increasing computing speed, power, and video-display capabilities.

The Bells do not dispute that the lack of widespread broadband deployment is costly to the economy. Indeed, they cite Brookings Institution economist Robert Crandall's estimate that wide deployment is worth $500 billion to the economy. Instead, they argue that they have no incentive to invest in broadband if they're forced to share the network with competitors. And they insist that the phone industry is already facing plenty of competition from other technologies.

In the long run, that will probably be true. But, well, you know what Keynes said about that. For the moment, the Bells' only serious competitor is the cable industry. Cable currently enjoys a greater share of the residential broadband market than DSL, and it's extending broadband access to over 70,000 new customers a week. Unfortunately, many of the small businesses that need broadband the most can't get it through cable because these companies generally haven't laid cable in business districts. Also, businesses need to be able to send more data back and forth than cable broadband can typically handle, and expanding cable broadband's capacity will take years and be hugely expensive.

In the future, other technologies might provide business and consumers with broadband, bypassing the Bells altogether. One possibility is satellite technology. Satellites can deliver Internet to sparsely populated areas,

director, but had his own consulting firm and wasn't on the inside making policy decisions as he is now. Allbaugh, on the other hand, was Governor Bush's chief of staff and chief enforcer, and had the "size and the presence" to challenge Rove's bare-knuckle partisan political advice. Burka wonders: "If Allbaugh had been on the inside keeping an eye on Rove, wouldn't **James Jeffords** still be a Republican?"

Sen. **Phil Gramm**, who has announced he will retire when his term is up in 2003, is coming under intense pressure from some GOP leaders to retire early so that Texas Gov. **Rick Perry** can replace him with a Hispanic, Rep. **Henry Bonilla**. As a sitting senator, Bonilla would presumably have an advantage against a Democratic challenger. He'll need it if the popular former HUD Secretary **Henry Cisneros** decides to run for Gramm's seat, as many Democrats fervently hope. Perry met with **Bush** in Washington last month to discuss how they could convince Gramm to leave sooner, according to **The Houston Chronicle.** Gramm spokesman **Larry Neal** says the Senator has no intention of doing so.

Federal Judge **Royce Lamberth** is best known for the ease with which he approved dozens of discovery motions that allowed fellow conservative **Larry Klayman** of Judicial Watch to dig into the public and private life of President **Bill Clinton.** But Lamberth was considerably more strict last March, when he raised procedural concerns about a requested FBI wiretap involving a member of the Palestinian terrorist group Hamas. Lamberth's doubts sparked an internal investigation at the Bush Justice Department into the FBI's monitoring of several terrorist organizations, including **Osama bin Laden**'s Al Qaeda network. That inquiry, officials told *The New York Times*, "might have hampered electronic surveillance of terror groups."

One of the Rules of Washington Punditry is that if you're important enough to get on NBC's *Meet the Press* there's no point in going on C-SPAN. **Clinton** administration officials adhered to this rule and seldom appeared on the cable network. But the **Bush** administration seems to have a refreshingly different attitude. Top Bush folks who have been guests this year on C-SPAN'S **Washington Journal** include **Allbaugh**, Health and Human Services Secretary **Tommy Thompson**, Treasury Secretary **Paul O'Neill**, Labor Secretary **Elaine Chao**, White House domestic policy adviser **Margaret LeMontaigne** and congressional affairs director **Nick Calio.**

One of the few welcome consequences of the September 11 events is that stories about Rep. **Gary Condit** have been driven off the air. Until the attack, network camera crews remained staked out in front of Condit's apartment in Washington's Adams Morgan neighborhood 18 hours a day, even on days when there was literally no news to report. The crews—who lounged in the shade in bag chairs, munching on company-paid sweet-and-sour chicken, and chatting with locals—didn't seem to mind. Many had grown accustomed to the long, monotonous days covering Washington's serial scandals. And the overtime pay helped. A microwave technician with one of the cable networks said he is "living in the house that **Monica** built."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

often more effectively than phone or cable. But they require rooftop transmitters that are expensive to buy and install, and they allow users to send data back "upstream" only at relatively slow speeds. Another possibility is "fixed wireless"—sending data over radio waves from a transmitter to fixed locations like homes or businesses. Like satellites, fixed wireless may be a boon to rural areas. Unfortunately, the data-flow is poor if trees, hills, or tall buildings are between the transmitter and the receiver. A third option is mobile wireless, a broadband version of the service that brings you cell phones and Blackberries. This, too, is a technology impaired by obstacles. But the bigger problem is a lack of available spectrum. The radio frequencies needed are already in the hands of the military and television broadcasters, and so far the federal government has been unwilling to take those frequencies away.

Eventually, some combination of these technologies will probably make it possible for most small businesses and individuals to receive broadband. But prices will likely be higher, service spottier, and, worst of all, it could take five to 10 years to become a reality. In the meantime, $90 billion in fiber optic cable will sit largely unused in the ground. Business managers will be frustrated. Productivity will suffer. And the economy may lack all the things that made the past few years so much fun: high growth, low unemployment, rising incomes, low inflation.

The Fox's Life Jacket

With the administration largely absent, the battlefield over telecom is in Congress. On one side are lawmakers who maintain that the policies to promote competition in the phone industry have failed and that the Bells require as much power as possible to let them vie with their true competitor, cable. This camp supports the "Tauzin-Dingell" legislation, which would allow the Bells to close their networks to competitors. On the other side are those who think the 1996 telecom act can work if only the federal government would enforce it. Neither approach has a prayer of solving the problem.

But there is a way to give each side what it claims to want—competition *and* deregulation—while leading to faster diffusion of broadband and greater economic growth. The solution is to end the Bells' stranglehold over the "last mile" of wiring by forcing them to divest themselves of the physical wires, much as AT&T was forced to divest itself of its local phone monopolies.

The beauty of divestiture is that it would create all the proper incentives. The companies that own the wires will be eager to cooperate with the providers of retail services—including DSL, Internet access, or local voice service—because neither could serve the customer alone. Divestiture would turn the Gingerbread Boy into the fox's life jacket. Government wouldn't have to be in the business of constantly enforcing complex rules of fair conduct. It would only have to regulate the prices that the owners of the wires charge. Divestiture of the local monopolies spurred enormous innovation as well as higher investment and lower prices in the network's long distance sector. The same would likely follow divestiture in the local market.

Of course, divestiture (or "structural separation") faces serious administrative and political challenges. But the idea will get a serious hearing now that Senate Commerce Committee Chairman Ernest Hollings (D-S.C.) has introduced legislation that would require the Bells to establish separate wholesale and retail divisions—and some state regulators are also actively looking at separation.

To bring more competition to the market, Congress and the Bush administration must also free up more of the radio spectrum for "third generation" broadband mobile wireless, which will entail recovering unused television broadcasters' spectrum, or transferring military users to other parts of the spectrum in a way that protects readiness.

Even with these changes, there will remain low-income and rural communities where the market will not support broadband deployment. In those areas, the government should provide outright subsidies. The Rural Electrification Administration (REA) subsidized deployment of electricity, and we should now offer technology-neutral subsidized loans through REA's successor, the Rural Utility Service. Three billion dollars (less than the "clean coal" subsidy in the House energy bill) would fund enough loans to effectively solve the problem.

Korea has the highest broadband deployment in the world because it has subsidized a build-out to the tune of $7.5 billion over five years. John Chambers of Cisco says, "I'd like to see the administration and Congress, both the Democrats and Republicans, make this a major project, like putting a person on the moon. Let's give broadband to every American home by the end of the decade who wants it." Of course, such a program would be a boon to Chambers' company. But it might also help recharge the economy.

Government needs to take up the difficult challenge of opening up the "last mile" once and for all. With the right policies, businesses and homes can get access to the broadband network, and the virtuous cycle that drove the economy in the '90s could begin anew. It's time for the Bush administration to pick up the phone. ●

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Publisher Perish

The coming battle over putting all scientific journals online for free.

BY NICHOLAS THOMPSON

RICHARD ROBERTS, A NOBEL LAUREATE for his work on nucleic acids, has become a major pain-in-the-butt for the scientific publishing industry. Like many highly successful scientists, Roberts has a reputation for being thoughtful, careful, and thorough. But he's now working on an idea that could turn scientific publishing on its head.

Along with a large group of scientists—including Harold Varmus, the acclaimed former director of the National Institutes of Health (NIH)—Roberts has been pushing the buildup of a massive repository of scientific literature called PubMed Central, hosted by NIH's National Library of Medicine. According to its advocates' vision, PMC would allow anyone in the world to freely search and retrieve the full text of any published scientific article, ideally with archives going back for decades. Want to know what the *Journal of Cell Biology* and all of its peers had to say about protein extraction last year, or in 1972? Log in; enter search terms; presto.

The way the system works now, anyone can log into a database hosted at NIH known as Medline, type in search terms, and retrieve article abstracts—a service currently used several hundred million times per year. But anyone who finds a useful reference has to trek over to the library, photocopy the article from the bound journal, and pore over it for the specific references. If there's no library around, too bad. NIH has a version of PubMed Central up and running, but with only about 50 journals on board, few people use it.

PubMed Central and Medline may not seem that different. But scientists and publishers alike agree that it would be revolutionary to pass from searchable abstract to searchable texts. People in the Third World would suddenly have access to the planet's great libraries; lay people interested in specific diseases would have the best information at their fingertips; all current medical researchers would save countless hours and could investigate their work much more thoroughly. An abstract can tell you the basic outline of an article—but it doesn't say what's in the data, what's buried deep, and what might have been discovered on the side, all potentially the difference between life and death. According to Varmus: "Think about hexamethonium, the drug that killed a student at Johns Hopkins. There's research out there that showed its danger. With PMC, people might have known that."

Or consider the case of Jens Mielke, a researcher at the medical school of the University of Zimbabwe in Harare, the country's leading health center. Mielke is part of a team desperately trying to diagnose and help treat cryptococcal meningitis, a form of the brain and spinal disease which afflicts HIV-positive men and women and is usually lethal if left untreated. The hospital treats about 500 meningitis-sufferers a year. But the medical school only has valid and up-to-date subscriptions to about 20 journals, compared to the thousands available in large American facilities. Consequently, Mielke lacks access to, or knowledge of, most of the current diagnostic work in his field. If his team could access PubMed Central, he says, it would "make an enormous difference. It would enable us to diagnose at twice the efficiency."

Death Be Not Proud

PMC would also have a revolutionary impact on the scientific publishing industry, and the thousands

NICHOLAS THOMPSON *is an editor of* The Washington Monthly.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of journals catering to the medical-research community. According to Karen Hunter of Elsevier Science, a giant publishing company that puts out about 1,100 journals ranging up to about $17,000 for annual subscriptions: "The number of subscription cancellations would be significant. A lot of magazines would close."

That doesn't sway everyone. A group of scientists, including Varmus and Roberts, have organized into an entity called the Public Library of Science (PLOS), putting out a pledge not to publish in, subscribe to, or peer review for, any journals that don't provide open access through a large central database, which in practice means journals that don't give their information to PubMed Central. About 27,000 other scientists joined them, though the group backed off a bit when the actual boycott date arrived on September 1st. Now, instead of a strict boycott, the group plans to start new journals, and give priority when trying to place their articles to those complying with PubMed Central. Despite the minor retreat, the group still has attitude. "Traditional publishers," Roberts says, "are useful and there's a role for them. What's obsolete is the way they're doing business."

That may be an overstatement, but Roberts has a vital point. The government funds scientific research across the country for the public good, and for years the system that we have today—government pays for research; private journals publish research—seemed the best alternative. Now, the Internet has changed the nature of the game. Information is much more mobile and, therefore, there's an increased value to making as much as possible public in an unbiased way—a role suited to government. The potential gains for medicine are extraordinary, even if a few people may end up losing their shirts.

Club Med

The Internet was supposed to change all forms of publishing. E-books were the future and print magazines and newspapers strove to Get Big Fast online. *The New York Times*' dot-com division talked about a massive IPO, and *Salon* threw the hippest parties in town. Both may again prosper, but for now they're holding out their hats. One year ago, Inside.com, then a sparkling new online news source, published an article panning a dinosaur called *The Washington Monthly*. Today, Inside has been gutted and swallowed up by a competitor.

But scientific publishing is different. Dot-com journalism sank because no one has yet figured out a viable business model that allows an online publisher to pay salaries, hire freelancers and editors, and support Web programmers. But scientific journalism shouldn't have those worries. The people who write for scientific journals do it for prestige, for their colleagues working on similar projects, and perhaps to earn promotions; they don't do it to put food on the table since other people pay their salaries. Peer reviewers of scientific papers usually work for free as well; they just want to help the cause. Perhaps most important of all, the entire industry relies on handouts from the government. The people who write for *The Journal of Cell Biology* work on projects supported by the government in federally funded laboratories. The Public Library of Science just wants the government to carry that research one step further, disseminating it as widely as it can.

To Roberts, Varmus, and the other scientist advocates who comprise the PLOS, the new model for scientific publishing should work like this: Researchers would prepare their papers and submit them to journals, paying the journals for the privilege of being published. The journals would then subject the articles to current standards of peer review—sending each paper out to several knowledgeable people in the field—and then publish the accepted articles. The journals would then send out their bound issues as they do today. Six months later, they would file with PubMed Central. On its Web site, the Public Library of Science writes that publishers would be able to make money "in the same way that a midwife can earn a living without keeping the babies that she delivers." PLOS would also create its own set of journals that would file directly with PubMed Central and that might not even have print versions, charging authors $300 for articles accepted after peer review.

In theory, that would work just fine for everyone. Libraries would still subscribe to most everything, and individual researchers would subscribe to the few first-class journals necessary for staying on top of their fields. Publishers and authors would both be pleased that more people, the world over, will have access to their work. The public would be happy because the more information in play, the better. Authors presumably might chafe at paying to publish their work, but that system already exists today in certain instances. In practice, authors would simply shift the cost of publishing into their government grant applications, and, in any event, everyone would be spending less money on subscriptions, freeing up

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

pocket change. According to Roberts, since the government also often funds the libraries that pay for and support scientific journals, the public already "pays for the research to be carried out, pays for it to be published, and ultimately pays to read it ... There is no new money needed, only a redistribution."

And, in fact, a number of journals have decided to transition to this model, and have had some success. Elizabeth Marincola is executive editor of *Molecular Biology of the Cell*, a magazine available through PMC six months after it mails to subscribers. According to her: "The big fear was that going to PubMed Central would undermine subscriptions. In our case, though, access and interest peak very quickly after the issue is released. And our subscriptions increased last year."

Roberts is editor of *Nucleic Acids Research*, another of the handful of publications currently available on PMC. But his journal didn't exactly leap into the new world. When asked why his journal decided to play, Roberts deadpans: "When I offered to resign, the publisher decided to do it."

The potential gains for medicine are extraordinary, even if a few people may end up losing their shirts.

Pub Crawl

Fully implemented, PMC's agenda would surely force some consolidation in scientific publishing. It would also take a bite out of some of the larger publishers that have done quite well as the price of scientific journals has increased, on average, by 170 percent over the past decade and a half.

But opponents of PMC also voice serious practical concerns, and there are dangers in consolidating such an essential resource. An angry and irrational Congress could zero out funding for PMC one year. The technology used at NIH could fail or be surpassed. And how much control should the federal government have over science in any event? One editor of a scientific journal emailed that the government "already controls the funding of most biomedical research. They regulate most aspects of it. They manage the large central databases like [the human genome database]; and now they'd like to manage the literature. How much of this is Science for the People and how much is *funktionlust*?"

Time will tell whether some cranky Congress axes funding, but it's not something to bet on. PubMed Central currently costs about $3 million a year to maintain, about one 60th of one percent of NIH's annual budget, and it would only cost about $100 million to post extensive archives going back 30 years. In addition, NIH may well ultimately stick the World Health Organization (WHO) or another international body with the bill. That may not be a bad idea, given that Swedes and Zimbabweans will have the same access to PMC as Americans and that PMC should actually have a proportionally greater impact on Third World medicine than First World. The Soros Foundation has already begun work with six major publications and the WHO to make up to 1,000 journals freely available online across the developing world.

Opponents also fear that PMC could dilute quality control. By its nature, PubMed Central would be an equal-opportunity database. A study on immune systems subjected to rigorous peer review and reexamination by the prestigious *Journal of Immunology* would not receive priority over a similar article by a slipshod competitor, or even a PubMed-compliant journal published by a company standing to make millions of dollars from the subject of the article. Right now, slipshod journals have to raise the money to send out issues and convince libraries to subscribe. With PMC, they'd only have to send their data across the Net. PMC only accepts peer-reviewed work, but it also currently only requires that a journal have two federally funded researchers on its board—a very low bar for an industry that has repeatedly found ingenuous ways to co-opt science and scientists. According to Dr. Sidney Wolfe of the activist group Public Citizen: "The whole thing begs for controls as strong as possible. Otherwise you'll get thinly disguised advertisements for drugs."

The immediate counter to that concern is that the horse has already bolted out of that barn. Corporations and snake-oil salesmen have flooded the Internet with their news. PubMed Central may be imperfect, but the information it puts out will almost certainly exceed the quality found online today, and may not be that much different from the quality of scientific publishing out there. If a 70-year-old man decides to devote himself to researching his health online, maybe he'll then come to his doctors with

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

questions about the latest research in the *New England Journal of Medicine*, not with a jar of lamb placentas or other potentially dangerous nutritional supplement so easily found online. Nor will hucksters be able to fool the most serious scientists using PMC. PubMed Central's director, David Lipman, says, "We are going to be improving the proportions of good to bad information, and canceling out some of the charlatans selling useless and dangerous stuff."

If a 70-year-old devotes himself to studying his health online, maybe he'll come to his doctors with questions about the latest research in *The New England Journal of Medicine*, not with a jar of lamb placentas.

Indeed, scientists in other fields have used the Internet to create new forms of peer review, some just as effective as the old methods. With Paul Ginsparg's physics site developed at Los Alamos Laboratories, arXiv, for example, no one waits six months from publishing date, or even six months from the time he completes his work. Researchers post their data online almost as soon as they have it. Other physicists examine the data, comment, post their own comments, reexamine the data sets, and the article and data evolve over time. MIT Press has set up a virtual community called CogNet for cognitive and brain scientists. The scientists subscribe to the service, discuss the hottest current research in the field, post their comments, and watch as the discussions gradually evolve. Quality control is essentially self-imposed and not unlike the system used on several commercial sites, such as eBay or Slashdot, where users are graded by their peers or site editors and lose points if they prove untrustworthy.

Free Bird

PMC represents one more example of a growing battle over information freedom. Our technological boom has increased both the value and availability of information, creating a tension between those who want to hold on to it, and those who want to give everything away free. Computer programmers have clashed over supporting Linux—the operating system created by a loosely organized band of unpaid programmers that competes with Microsoft Windows and is available for free over the Internet (See "Reboot," March 2000). The medical community has fought this battle over GenBank—the government's free database of gene sequences created out of the human genome project—and is still fighting over patents. Many activists want the patent system opened up so that small drug companies can develop generic lifesaving drugs. Drug companies counter that weakening patent protections would take away their financial ability to find and create new drugs.

But of all these battles, the one over PMC seems to be the one where freedom really ought most to win out. Unlike with Linux and Microsoft, the government can change the system because the government already runs the system. Moreover, opening up information doesn't pose the debilitating threat to innovation that it might with patents. Some of the big publishing houses could still survive with PMC, and in any event, Elsevier provides much less value to scientific publishing than Eli Lilly, for example, does to the creation of pharmaceuticals. Donald Kennedy, editor in chief of *Science* magazine and by no means a radical on this issue, compares Elsevier to a maquiladora: "It's a well-capitalized European publisher, taking United States copy, adding little value, and then selling it back here at huge profits."

We should hope that the boycott succeeds in making PMC universal, and that peer review and quality-control mechanisms evolve, whether through the same old journals and a greater online presence, or maybe through models similar to what CogNet and arXiv use today. New ways of opening up information will also follow. Even the discussion of PubMed Central has spawned the creation of alternatives that the publishing industry considers more palatable, for example CrossRef, a pay-as-you-go archive of 1,200 journals.

There's a lot at stake: whether one is an aspiring Watson or Crick at a university without a first-rate library, a doctor in a meningitis laboratory in Zimbabwe, or even just a participant in a Johns Hopkins study on hexamethonium. With so little to lose, the more information the better. ●

Research Assistance by Alex Walker

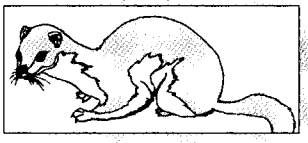
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tidbits & Outrages

"With age, the shuffling makes him look, I guess, more aged."
~ Sen. Ernest Hollings
on Sen. **Strom Thurmond**

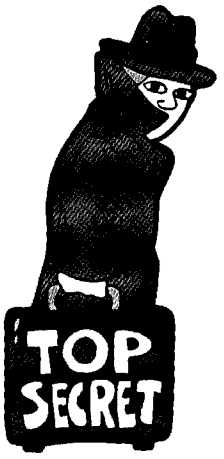
We Shall Overcome

"Like any civil rights issue, when you have so much right on your side, the issue just won't go away."



~ Pro-ferret activist Jeanne Carley on why she will continue to fight to lift California's ban on owning ferrets

"Congressman Condit has shown his ability to hold information."



~ Abbe Lowell on why Gary Condit should not be removed from the House Select Committee on Intelligence. (from Meet the Press)

Correction of the Month: August 10th, *St. Paul Pioneer Press*

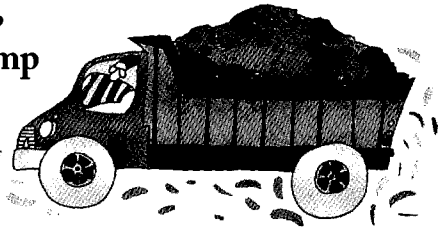
" In Tuesday's story about the funeral of Korey Stringer, a quote from Kelci Stringer should have referred to Korey Stringer as a 'realest dude,' not a 'realist dude.'"

"Voters will have to make decisions in Norfolk Election"

Headline from 8/16 *Lakeville Journal*

Bush's First National Park

Interior Secretary Gail Norton declared the Fresno, Calif., municipal dump as a national historic landmark.



"This is a very good time."
—Joyce Jensen founder of the Astrological Institute after it became the first astrology school to receive federal accreditation.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

John Edwards, Esq.

Republicans believe that Americans will never elect a trial lawyer president. They're wrong.

BY JOSHUA GREEN

ON AUGUST 5TH, NBC'S *Meet the Press* featured someone and something we're likely to see much more of in years to come: Senator John Edwards (D-N.C.) squaring off against a nervous representative of the Bush administration.

The issue in this case was the so-called patients' bill of rights, and Rep. Charlie Norwood (R-G.A.) the Bush surrogate. Days earlier, the president had sweet-talked Norwood into a midnight deal that sharply restricted patients' right to sue their HMOs. Norwood, who for many years had advocated a much tougher bill, had essentially been suckered, and appeared acutely aware of this as he sat alongside Edwards, glumly resigned to defending a bad deal.

Tim Russert was on the attack, pressing Norwood about his recent yielding on patients' rights to sue in state courts: "Why did you abandon those views?" Norwood hemmed and hawed and finally was reduced to parroting the administration's line: "It is potentially possible that [lawsuits] could ruin the employer-based health-care system in the country." Russert pressed him harder. "Do you believe that?" It turned out Norwood did not.

Russert then turned to Edwards, a trial lawyer by profession, who neatly summarized the deal's shortcomings. "Number one, this deal—which was written in the middle of the night, by the way—takes away rights that patients already have across the country," he explained. "Number two, it maintains the privileged special status that HMOs enjoy today. And, number three, it stacks the deck against patients when they're trying to hold HMOs accountable for what they do."

Edwards also pointed out that a seemingly minor change in the bill's language had shifted accountability away from HMOs—something Norwood had failed to recognize and meekly agreed was "a mistake."

The discussion turned to caps on the amount of damages that negligent HMOs would face. Norwood had previously fought such caps and again stumbled in rationalizing his reversal. Edwards, who flat-out opposes capping damages, summed up his case in one line: "A right [to sue] that's not enforceable doesn't mean anything." By the time Russert broke for commercial, Norwood had pretty much thrown in the towel.

The fight over precisely how patients should be allowed to sue their HMOs may seem relatively minor, considering that 44 million Americans don't even have health insurance. But the debate that morning had a deeper symbolic meaning. As every political junkie knows, John Edwards almost became Al Gore's running mate in 2000 (several sources say he was next after Joe Lieberman). Among a handful of undeclared candidates for the Democratic nomination in 2004, he's lately been basking in media attention. With Gore's recent inability to reignite support, a case could be made that Edwards is the current frontrunner.

The fight was important on another level, too. For a long time, the two parties have wrestled in various contexts over the right to sue, Democrats generally defending it and Republicans seeking to restrict it. But at least in the public mind this issue hasn't yet risen to a defining philosophical difference like abortion, taxes, or the size of government. Many Republicans would like to change that, President George W. Bush prominent among them. As governor of Texas, Bush made "tort reform" one of his top agenda items. Quietly, in ways that have garnered little attention, the White House is

JOSHUA GREEN *is an editor of* The Washington Monthly.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

laying out a strategy that in the coming months will seek to make tort reform a defining issue of Bush's presidency.

The pursuit of this agenda will naturally draw Edwards into the spotlight as a defender of the process of litigation in general and of trial lawyers in particular. It will place him center stage in one of the most interesting and useful debates of the next few years. Democrats will have to defend their belief that litigation is ultimately good for America, while convincing voters that this belief doesn't stem from hefty campaign contributions from trial lawyers. As the administration moves forward on tort reform, buoyed by ideology and by polls showing that three out of four Americans dislike lawyers, it will try to paint Democrats as the party of ambulance-chasers and Edwards as their champion, in the process snuffing out a potential challenger to Bush. In fact, that's already begun. "America won't elect John Edwards president for the same reason we've never elected a used car salesman president," declares GOP pollster Frank Luntz. "America hates trial lawyers."

That's the theory, anyway. But as Edwards' performance on *Meet the Press* suggests, the GOP may have picked the wrong fight against the wrong man.

Talking Chickens

A few weeks later, at "Tar Heel Thursday," his weekly constituent meeting in the Dirksen Senate Office Building, Edwards once again showcased the skills that make political consultants swoon. Twenty minutes after he was scheduled to arrive, he strode through the grand, paneled doors in a dark suit and pink tie, walked smiling to the front of the room, and without notes or pretension, summarized the issues he was working on (education and the patients' bill) in a lucidly matter-of-fact manner that didn't once invoke the name of either political party. On this day, he was addressing a group comprised of poultry farmers, home-schoolers, and assorted North Carolinians on late-summer vacations. The intimacy of the small gathering lent it the air of a church social. When he'd finished, Edwards answered all manner of questions—displaying a keen knowledge of everything from chicken prices to military testing to the rights of home-schooling parents—many with good-natured homilies about his experiences as a lawyer in small North Carolina towns. The crowd nodded appreciatively. Edwards finally was stumped by a Durham man who'd heard on talk radio that America had secretly been in a state of emergency since the early days of the Roosevelt administration and was concerned. Without flinching, Edwards spoke warmly (and uncondescendingly) about the importance of a vigilant citizenry, and promised to look into the matter. His tanned features, quick smile, and the reassuring cadence of his mild Southern accent made one feel certain that he would be on the right side of any debate. (It was also tempting to flash back to the second presidential debate—the one in which a burnt-umber Al Gore stiffly tried to appear gentle—and marvel at the thought of Edwards opposite Bush.) By the time Edwards left, the room was positively aglow, and everyone agreed it would be a good thing if he ran for president.

Afterward, Edwards explained that his proclivity for talking to constituents stems naturally from his childhood dream of becoming a lawyer. He came of age at a time when many lawyers were rightly viewed as heroes. They included people like Thurgood Marshall, who used the law to bring down the system of legal segregation in the South, and Ralph Nader, whose lawsuits forced an arrogant auto industry to install seatbelts and airbags, thereby saving thousands of lives. "My idealistic view of lawyers was that they could help people who couldn't help themselves, and couldn't fight for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

themselves," Edwards says. "Since childhood, I thought that's what being a lawyer was all about. I still think that, by the way. In that sense, the transition to the Senate was a very natural one."

Some time soon, John Edwards must decide whether he wants to continue that transition to the presidency. He has already acquired the bug for travel, endemic in future presidential candidates, which has taken him to Illinois, Florida, and California. In March, he made his first trip to Iowa, site of the first presidential test in 2004. The factors conventionally deemed attractive about his candidacy are easy to list: He is young (47), charismatic, and telegenic, hard-working and exceedingly bright. His flair for politics has enabled him, as a first-term senator, to take so successful a lead on the patients' bill that his party put him out front on several other issues. As a popular Southern Democrat, Edwards has the potential to break the Republican lock on the South that cost Al Gore every Southern state, despite his being a Southerner himself. And Democrats worried that Gore presents the party with a Bob Dole problem in 2004—unbeatable in the primary, ineffectual in the general election—find Edwards an attractive alternative. Even opponents are impressed with him: Charles Black, a GOP consultant with North Carolina ties, readily concedes that "Edwards has got a lot of Bill Clinton in him—without the ethical or moral problems."

Greedy, Evil, and Ethically Bankrupt

Edwards hasn't compiled enough of a political record for Republicans to attack. Before he was elected to the Senate in 1998, he had never held office. His respectably centrist positions don't seem captivating enough to energize a McCain-like populist bid for the White House. But neither are they easy for the GOP to exploit. The media has focused on Edwards the politician—his looks, his charm, and his positions. But GOP political strategists are already digging into his previous life as a trial lawyer, convinced that something damaging will turn up. It's a strategy that has the advantage of dovetailing with the deeply held Republican conviction that the countless excesses of trial lawyers are among the fundamental problems facing the country today.

Republican masterminds will argue vehemently that attacking lawyers is a winning move. Polls show that three-fifths of Americans think lawyers are greedy, and three-quarters believe that they charge too much; roughly the same percentage believes litigation to be too costly, too lengthy, and too heavily geared toward the rich. This hostility informs public attitudes about lawyers as people. The American Bar Association reports that only one person in five agrees that lawyers are "honest and ethical." Consequently, law is among the least respected professions. It doesn't help that more than three-quarters of lawyers don't want their children to follow them into the legal profession. In politics, "lawyer" has come to displace "liberal" as the dreaded "L" word, especially in the South. In Louisiana in 1999, all but one of the 10 candidates for state legislature attacked as trial lawyers lost. As one local pollster put it: "'Trial lawyer' has become a pejorative term. It is now an acceptable substitute for calling someone a devil." And at least on an anecdotal level, that's just as true nationally. When it comes to civic virtue, lawyers rank in the minds of most Americans somewhere alongside ivory smugglers and tobacco executives. (Polls do show that lawyers edge out used car salesmen. But not by much.)

There are material reasons, as well, for Republicans to go after trial lawyers: the large corporations that generally support Republicans are frequently subject to lawsuits that exact damage awards in the millions of dollars. Small businesses fear trial lawyers even more. A sizable judgment against a Fortune 500 company at most knocks down its stock price; but it can drive a small business into bankruptcy. The National Federation of Independent Business, the main small-business group instrumental in crafting the president's tax cut, is equally involved in guiding tort-reform initiatives.

If only by default, trial lawyers strongly identify with the Democratic Party. In those parts of the rural South where unions are weak, they constitute most of the party infrastructure and give accordingly. In the 2000 election cycle, Democrats received 98 percent of the nearly $15 million that trial lawyers gave to candidates, far outclassing the degree to which Republicans benefited from the oil and gas industry (78 percent of its donations) and the pharmaceutical industry (68 percent). So, in addition to aiding important constituents, tort reform offers the added benefit for Republicans of weakening a pillar of the opposition.

Tort Reform, Texas-Style

Tax cuts aside, nothing is closer to George W. Bush's heart than dismantling the current legal system. Long before there was "compassionate conservatism," Bush was attacking the excesses of trial lawyers. In Texas, demonizing lawyers is a hallowed tradition long predating Bush's governorship. In the mid-1980s, state Republicans and conservative Democrats began targeting what they considered predatory litigation, passing laws to limit consumers' rights to sue businesses, and electing justices to the Texas Supreme Court who

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

shared this point of view. Bush merely tapped into this sentiment when he ran for governor. "Probably the first and most important thing I will do when I am governor of this state," Bush promised during the campaign "is to insist that Texas change the tort laws and insist that we end the frivolous and junk lawsuits that threaten our producers and crowd our courts." And his first major accomplishment after being sworn in was to call an emergency session of the legislature to take up tort reform. Within weeks he'd signed business-friendly legislation capping punitive damages, limiting class actions to federal courts (which are more expensive and harder to navigate than state courts), and making it easier for judges to impose sanctions on plaintiffs who file frivolous suits.

"America won't elect Edwards president for the same reason we've never elected a used car salesman president." —GOP strategist Frank Luntz

The administration is now filled with people such as Karl Rove, who helped orchestrate the successful tort initiatives in Texas and want to do the same thing nationally. As early as January, the White House is planning to roll out a series of tort reforms, including similar caps on some punitive damages and restrictions on filing class actions.

The coming battle over the right to sue is a perfectly good argument for the country to have. There are plenty of abuses of the legal system that Democrats would be foolish to defend. But if Republicans decide to make Edwards the focal point of their campaign, they're likely to lose the argument—and possibly the White House.

Blind Faith

The recent history of the GOP suggests a party often blinded by its ideology. In 1995, House Speaker Newt Gingrich (R-G.A.) fundamentally misread the public's attitude toward government and brought on a costly shutdown that hurt Republicans in 1996 and swept Clinton on to a second term. Poll data at the time suggested that most Americans shared Republicans' hatred of "government," something Gingrich and his allies very much wanted to believe. What the Speaker failed to realize was that for most people such emotion operates mainly in the abstract. When federal agencies closed and Social Security checks suddenly seemed threatened, voters were furious and—with Bill Clinton's deft guidance—directed their anger at the GOP.

At about the same time, Republicans became enamoured of polls showing that the vast majority of Americans believed that too many immigrants were being let into the country and onto the welfare rolls. Sensing an opportunity, the Republican Congress set out to pass an extremely restrictive immigration-reform bill, inserting into the welfare-reform bill language that stripped legal immigrants of access to such services as food stamps. They failed to anticipate that moderate swing voters would view these moves as extreme or that they would infuriate legions of Hispanic and Asian voters.

Republicans can undoubtedly get some mileage out of exploiting the general notion of lawyerly excess. What they don't seem to realize is how quickly public opinion is apt to shift once their campaign turns to specific legal issues, and a specific lawyer. As it happens, Edwards' professional biography bears a much closer resemblance to the crusading protagonist of a John Grisham novel than to the ambulance-chasers who solicit on late-night cable.

Civil Actions

Edwards has the sort of up-from-the-lower-middle-class "story" that's so effective on the campaign trial. He grew up in the small North Carolina town of Robbins, where his father worked in a textile mill and his mother ran a small store. Edwards has crafted his idyllic upbringing into a gently self-deprecating stump speech in which he pokes fun at himself as the "college boy" who got stuck with the worst jobs in the mill when he was home from North Carolina State. The speech is intended to extol the virtues of hard work—his own in particular—and identify with the "little guy," something at which he is uncommonly adept, all the way to his earthy choice of a college major (textile management), something he characterizes as job insurance in case he didn't get into law school. Of course, Edwards did get into law school at the University of North Carolina, where he met his wife, Elizabeth, and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

his future law partner, David Kirby.

Upon graduating, he moved to Tennessee to join former Republican Governor Lamar Alexander's law firm, which specialized in defending banks, insurance companies, and other corporations. In 1981, he returned to North Carolina, specifically to the politically well-connected Raleigh law firm of Wade Smith, a former Democratic Party state chairman, where he started a rapidly successful civil litigation division. He won his first multi-million dollar verdict in 1984, which he followed the next year with a $6.5 million verdict for a 6-year-old girl who'd suffered brain damage at Pitt Memorial Hospital—at the time, the largest verdict in state history. Edwards left in 1993 to start his own firm with Kirby.

"Edwards has got a lot of Bill Clinton in him—without the ethical or moral problems."

Until he moved to the Senate, Edwards was a personal injury lawyer—the kind people most love to hate—and a very talented one. More than half his cases were medical malpractice suits. Many involved infants born with brain damage or other serious conditions that entail a lifetime of expensive medical care. Edwards also won cases against hospitals, cities, and corporations. "As a lawyer, he was the whole package," says Mike Dayton, editor of *North Carolina Lawyers Weekly*. "He's prepared, he's smart, and he's very personable." And he continued winning massive verdicts. In 1990, he was the youngest member inducted into The Inner Circle of Advocates, an invitation-only group of the nation's top 100 trial lawyers. By the mid-1990s, Edwards had become legendary. "After trials," recalls Howard Twiggs, a Raleigh lawyer and former president of ATLA, "jurors would approach Johnny and ask him for his card." It is said that insurance companies would suddenly become interested in settling when Edwards' name was added to a plaintiff's team. Edwards won a $7 million verdict for the parents of a 16-year-old who'd killed himself the day after being dismissed from a psychiatric hospital, an incredibly difficult case to win, Dayton says, because in North Carolina the plaintiff must prove that the entire burden of negligence lies with the defendant. In 1997, Edwards successfully sued a doctor for $23 million on behalf of the parents of a baby severely brain damaged by oxygen deprivation during labor.

The defining case in Edwards' legal career wrapped up that same year. In 1993, a five-year-old girl named Valerie Lakey had been playing in a Wake County, N.C., wading pool when she became caught in an uncovered drain so forcefully that the suction pulled out most of her intestines. She survived but for the rest of her life will need to be hooked up to feeding tubes for 12 hours each night. Edwards filed suit on the Lakeys' behalf against Sta-Rite Industries, the Wisconsin corporation that manufactured the drain. Attorneys describe his handling of the case as a virtuoso example of a trial layer bringing a negligent corporation to heel. Sta-Rite offered the Lakeys $100,000 to settle the case. Edwards passed. Before trial, he discovered that 12 other children had suffered similar injuries from Sta-Rite drains. The company raised its offer to $1.25 million. Two weeks into the trial, they upped the figure to $8.5 million. Edwards declined the offer and asked for their insurance policy limit of $22.5 million. The day before the trial resumed from Christmas break, Sta-Rite countered with $17.5 million. Again, Edwards said no. On January 10, 1997, lawyers from across the state packed the courtroom to hear Edwards' closing argument, "the most impressive legal performance I have ever seen," recalls Dayton. Three days later, the jury found Sta-Rite guilty and liable for $25 million in economic damages (by state law, punitive damages could have tripled that amount). The company immediately settled for $25 million, the largest verdict in state history. For their part, Edwards and Kirby earned the Association of Trial Lawyers of America's national award for public service.

Lawyer Versus Hog Farmer

Despite Edwards' Atticus Finch-like background, North Carolina Senator Lauch Faircloth set about targeting him on the basis of his profession when he campaigned for reelection in 1998, no doubt encouraged by GOP consultants such as Luntz, who'd been successfully pushing tort reform since the early 1990s. "It's almost impossible to go too far when it comes to demonizing lawyers," Luntz wrote that year in a memorandum to Republicans running for reelection. "Make the lawyer your villain by contrasting him with the 'little guy,' the innocent hard-working American who he takes to the cleaners."

But Luntz had it backwards. Edwards hadn't

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cleaned out Mom and Pop. He'd targeted corporations like Sta-Rite and negligent hospitals that had injured small children, and he'd won the unanimous jury decisions state law requires. What's more, he responded to Faircloth's criticism by inviting the public to scrutinize his legal record. Faircloth's campaign strategists considered making a commercial featuring a doctor whom Edwards had put out of business, but thought better of it when they realized Edwards would retaliate by putting forward the little girl who'd suffered at the doctor's hands. As it was, Faircloth never delved into specifics about his opponent's record. Nor should he have, says former ATLA president Twiggs: "Johnny, in that situation, can put on the patient, can put on the jury foreman, and can absolutely destroy that tactic if it's used. It would be a unique opportunity to show who he represented and why, and to show why the jury found in his favor."

By sheer virtue of his skill as a lawyer, Edwards had been able to avoid taking the kinds of cases the public detests. During the campaign, opponents tried unsuccessfully to criticize him for turning away 35 to 40 cases for each one he accepted. But such was the demand for his service that it was impossible to accommodate everyone. Even so, a close friend and fellow attorney says that, before running for Senate, Edwards had a team of doctors and nurses privately screen his record to make sure that no case he'd brought to trial could be considered frivolous: "When they got significantly into [their review], they decided he'd never come close to violating the standard."

Yet Faircloth pressed ahead with a lawyer-baiting campaign which at times appeared comically inept. Even before Edwards had won the Democratic primary, Faircloth ran his first television ad attacking his opponent's career. "Lauch tried to the tune of millions of dollars to make the case that because John was a trial lawyer, and because of the public's conception of trial lawyers, therefore you shouldn't vote for him," says a top official of the Edwards campaign. "After a month and a couple million, Faircloth realized he wasn't getting anywhere." But this did not stop his campaign from following the ad with another, smearing Edwards as a trial lawyer who was also a liar. It didn't get much traction. Next came an ad vilifying Edwards as both a trial lawyer and a liberal. No luck there, either. Faircloth's final ad featured side-by-side photographs of Edwards and Bill Clinton sporting Pinocchio-style noses while a voiceover linked them as "two tobacco-taxing liberal lawyers who are well known for stretching the truth."

The Faircloth campaign spent $2 million in the last three weeks of the campaign on television ads that ultimately backlashed. "Their negative stuff worked, Faircloth's stuff worked against him," a Faircloth aide concedes. In the waning days of the campaign, one local newspaper grew so fed up with the lawyer-baiting commercials that it editorialized: "Faircloth's ads use 'lawyer' as an epithet, as if Edwards' profession was somehow less honorable than the way Faircloth makes his money—politics, hog feeding, [and] land speculation."

Yet the lesson Republicans took away from the race was that Faircloth hadn't attacked lawyers nearly *enough*. "Lauch went at it very half-heartedly and he blinked," says a prominent GOP consultant who advised Faircloth. "He didn't identify him strongly enough as a plaintiffs' lawyer," says Black. If the definition of insanity is doing the same thing over and over but expecting a different result, then clearly lawyers like John Edwards drive GOP operatives crazy.

God's Litigators

In July, Edwards' opening speech at the Association of Trial Lawyers of America's annual convention in Montreal vividly captured the odd mixture of professional pride and paranoia that distinguishes the modern trial bar. "For 20 years I fought for the rights and dignity of ordinary people, just like everyone in this room," Edwards told a standing-room-only crowd. "I make no apologies for what I spent my life doing. I am proud of what I did: leveling the playing field." The convention buzzed with excitement over the Ford/Firestone suits, which all agreed was a public relations coup, and the new avenues for lawsuits that Edwards' patients' rights bill would create. There was much talk of "helping the little guy." Edwards left the podium to shouts of "Edwards for president!" And just before the convention's awards luncheon—at which no fewer than three trial lawyers' groups presented awards to the attorneys who sued Firestone—one of the lawyers paused to read an invocation: "You created us, Lord, not to accumulate treasure for ourselves, but to do your work." Then the conventioneers split up to learn the newest ways to sue over hip implants, misdiagnosed breast cancer, recalled drugs, herbal remedies, substandard nursing homes, pesticide poisoning, and train derailments.

Though it's perhaps a stretch to claim their work is guided by the hand of the Almighty, it is unquestionably true that trial attorneys perform an invaluable service to society. Short of a world in which corporations and professionals operate responsibly without oversight, a democracy that wishes to protect the public has only two choices: government regulation or private-party litigation. In our system, which sensibly uses

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

both, trial lawyers serve an essential regulatory function. Despite a vast federal safety bureaucracy, it took plaintiffs' lawyers to expose the dangers of Firestone tires and prompt a nationwide recall.

While litigation, or the fear of it, has undoubtedly led to a few less-than-desirable outcomes—the disappearance of teeter-totters from school playgrounds, or the high-dive at the public pool—lawsuits have resulted in ever-safer products by ridding society of the Pinto and the Dalkon Shield. For all the noise Republicans make about trial lawyers interfering with the free market, most people prefer driving on tires that don't explode, living in homes with insulation that won't kill them, and raising babies in cribs that won't strangle them. They aren't particularly bothered if it takes fear of litigation to bring these things about.

Through the discovery process, trial lawyers also unearth valuable documents that even federal agencies aren't privy to. One case in point: the lawyers who sued Firestone discovered that the company had known of the problem. As such, they provide valuable consumer protections—particularly in areas like medicine that are largely free from government regulation.

The Trouble with Trial Lawyers

Years of conservative agitation about trial lawyers have led the public to believe that the courts are clogged with "frivolous lawsuits." But that belief is unlikely to withstand a national debate, because the truth is fundamentally different from what tort reformers pretend. There has indeed been a rise in frivolous claims. But they haven't been brought by personal injury lawyers; those claims have actually *decreased* over the last decade. The single factor most clogging the judicial system is frivolous litigation brought by corporations against corporations, which don't involve independent trial lawyers at all. For example, John Deere went after a competitor for using the same shade of green that Deere paints its tractors. Gillette sued Norelco, claiming its ads for a new electric razor were "false and deceptive" because they depicted non-electric razors as "ferocious creatures." Nabisco sued Keebler over the latter's claim that its chocolate-chip cookies contained 25 percent more chips than Nabisco's. Each of these cases is more representative of the true problem of frivolous litigation. But because they involve a Republican constituency—business—rather than a Democrat constituency like trial lawyers, tort reform advocates don't mention them.

To persuade the public that frivolous personal injury suits have brought on a crisis, advocates of change religiously invoke cases like the elderly woman who spilled coffee on herself and won a $2.9 million jury verdict against McDonald's. Such stories tap into a genuine sense of frustration many Americans have with the modern tendency to blame others for problems of their own making. But on closer examination—the kind likely to happen if the GOP declares open war on trial lawyers—such anecdotes will be exposed as the urban myths most of them are. As Roger Williams University torts professor Carl Bogus explains in his book, *Why Lawsuits Are Good for America*, the woman who spilled her McDonald's coffee had to undergo a skin graft, spend weeks in the hospital, and offered to settle for $10,000 (McDonald's refused). She only sued as a last resort—the epitome of conscientious use of the legal system. Her original award of $2.9 million was later reduced by a judge, as most such judgements are, to $480,000, and she wound up settling for even less. To prevent other suits, McDonald's, which had previously ignored more than 700 similar complaints, stopped serving near-boiling coffee, as did its competitors.

There are plenty of real abuses by lawyers, though tort reformers seldom go after them. That's because they affect individuals, not corporations. As Stanford legal ethicist Deborah L. Rhode points out in her book, *In the Interests of Justice*, the frequent criticism that legal services are too costly (and lawyers too greedy) stems in part from the fees lawyers charge for routine cases like bankruptcy, immigration, welfare claims, and uncontested divorces, each of which could be handled more affordably by paralegals or other certified professionals—the average uncontested divorce, after all, takes only four minutes. But lawyers maintain a powerful monopoly over these basic services that they're wholly unwilling to yield. In fact, to kill off any threat of competition, the American Bar Association recently decided to increase enforcement of "unauthorized practice laws"—not against fraudulent lawyers, but against non-lawyers such as accountants, who provide legal services.

Trial lawyers, too, routinely commit certain sins that tort reformers ignore but that would infuriate the average person if they were better known. For instance, a group of personal-injury lawyers knew that certain Firestone tires were defective as long ago as 1996. But they didn't share that information with government regulators—who could have used it to save lives—for fear of compromising future lawsuits.

These are the kinds of abuses the GOP ought to target if it really wants to unnerve the trial bar. And there is some evidence that top Bush strategists are starting to understand that. Earlier this year, the administration guided a bill to indemnify teachers from civil suits. The trial lawyers' association put up predictably

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fierce resistance, arguing that the bill would invite an explosion in corporal punishment. But their lobbying campaign failed. By shrewdly pitting two Democratic interest groups—teachers and lawyers—against one another, the administration forced Democratic lawmakers to choose sides. The bill passed overwhelmingly.

For next year, the administration is considering a Legal Consumers' Bill of Rights. Modeled after the patients' bill, the legislation would require trial lawyers to give detailed information to consumers about how their frequently complicated fee systems work. Proponents liken it to consumer-protection measures the Federal Trade Commission requires of funeral homes and used car dealers. Trial lawyers bristle at the thought, but counter it only with the most bloodless legal arguments. "Congress doesn't have the authority to regulate lawyers in a given state," complains Carlton Carl, spokesman for ATLA. "Lawyers and what they do are governed by court system. It's a violation of the separation of powers to try and do that. It's an effort to intimidate injured people into not hiring attorneys." But trial attorneys really fear that the public will learn of their questionable contingency arrangements—such as taking one-third of a million-dollar settlement that took only a few phone calls to negotiate, or sticking clients with the bill for litigation expenses without disclosing that policy up front. "Educating consumers," says Victor Schwartz, a former trial lawyer and tort reform proponent, "is going to change the way lawyers do business."

The kind of people that middle-class swing voters identify with are the same kind of people that John Edwards has defended.

Edwards himself won't discuss what or how he charges clients. Like other personal-injury lawyers, he worked on a contingency basis, whereby he earned nothing if he lost, but stood to receive between 30 and 40 percent of the award if he won. But he's never accepted that such information should be part of the public record. He has boasted—and why not?—of winning large sums for deserving plaintiffs ($152.4 million in 63 cases, by one count), but refuses to reveal his own take. Disclosure statements filed when he ran for the Senate established his net worth to be somewhere between $13.7 million and $38.6 million. But the appearance that he's trying to conceal the scope of his earnings plays directly to the Republican contention that fees must be brought to public view.

Opposing such elemental reforms illustrates the bunker mentality that fuels low public opinion of trial lawyers. The question is whether Edwards will succumb to such thinking. If he does, he'll fall into the trap the White House is setting for him. Throughout his career, Edwards has insulated himself from the worst practices of the legal profession through his own impeccable conduct as an attorney. But Republicans, if they're smart, will try to goad Edwards into defending the worst practices of his former colleagues. If they succeed, they may discover Edwards' Achilles heel: As fine a lawyer as he is, Edwards is captive to the romantic ideals of justice he absorbed as a young man, his own experience upholding them, and the paranoid self-righteousness most trial lawyers develop. In multiple interviews, pressed about the problems with lawyers other than himself, and whether he'd support any measures to discourage frivolous lawsuits, he dodged the questions by insisting, again and again, that he hadn't engaged in such behavior. His resistance to examining problems in the legal profession was palpable. Finally, exasperatedly, he offered a noncommittal nod toward reform: "I can tell you in general that if there are proposals that would deal with so-called frivolous lawsuits, without taking away the rights of ordinary people, then that's certainly something that I could support."

Edwards has a blind spot when it comes to admitting the real abuses of the legal system. But 2004 is a long way off, and Edwards is probably smart enough to realize that it is not in his long-term political interest to defend the indefensible. Indeed, there is evidence that he's already beginning to catch on. When faced with the bill indemnifying teachers from civil suits, he broke with the trial bar to join the 97 of his colleagues who supported the measure. (The only Senator to oppose it was Fred Thompson—a Republican, and a trial lawyer).

The People's Lawyer

For all the GOP's success driving up lawyers' negative poll numbers, they haven't convinced Americans that what lawyers do for their clients is fundamentally

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

wrong. Ferrel Guillory, director of the Program on Southern Politics, Media, and Public Life at the University of North Carolina, say of Edwards' clients, "The kind of people you can identify with—that middle-class, mainstream swing voters identify with—are the kind of people Edwards has defended." Or, in the words of one North Carolina attorney, "he's the people's lawyer."

To truly understand Americans' attitude toward trial lawyers—and by extension, why Edwards will triumph in the upcoming battle with Republicans over tort reform—a more revealing poll number shows that while three-quarters of Americans say they dislike lawyers in general, those same people report that they're largely satisfied with their *own* lawyer.

Edwards is uniquely situated to refute Bush's attacks on trial lawyers and tort reform because he's the living embodiment of how a trial lawyer can serve a regulatory function in the face of misbehaving corporations, cities, and professionals. Indeed, attacking him is one of the surest ways for Bush to inadvertently highlight his own greatest vulnerability: the perception among voters that he's a shill for corporate America. As Carlton Carl, the trial lawyers association spokesman, is quick to point out, "People hate insurance companies more than they hate lawyers." By reprising the '98 Senate race at the national level, Republicans play to Edwards' greatest strength. Yet according to Luntz and others, the conventional wisdom in Republican circles on how to beat Edwards can be summed up in one word: "occupation." Most people can distinguish between a good trial lawyer and a bad trial lawyer. Most people, but not, apparently, Republican strategists.

The Washington Monthly Journalism Award

AUGUST 2001

EMILY TSAO AND RYAN FRANK

"Emergency Calls Get Crowded"

The Oregonian

Emily Tsao and Ryan Frank investigated local incidents of police radios failing randomly and without obvious explanation. Cell phone towers owned by Nextel turned out to be the culprit. As the reporters ran into denials from Nextel and the Federal Communications Commission, they dug deeper into the interference of cell phone towers into the radios or in-car computers of public safety officials. After researching the problem for six months, they found that 28 states have at least one case of confirmed or suspected cell phone tower interference, a problem directly attributable to mistakes made by the FCC and to Nextel's unusual use of radio frequencies.

LEILANI NISPEROS

"Disabled or Enabled? The Drugs Are Working, Are the People?"

Gay & Lesbian Times

Advances in drug treatments over the past five years have improved health conditions for people with HIV/AIDS to the point that they are able to work. However, Leilani Nisperos reports that the abundance of public benefits available to people with HIV/AIDS leads some to choose a fairly comfortable early retirement over returning to work. The HIV/AIDS funding system traps others by providing access to drugs they could not afford if they were working. Concerns about mismanagement of federal AIDS programs, like the AIDS Drug Assistance Program, suggest the need for an overhaul of the benefits system and increased oversight at both the federal and local levels.

THE MONTHLY JOURNALISM AWARD is presented each month to one or more newspaper, magazine, radio, or television stories (or series of stories) that demonstrate a commitment to the public interest. We are particularly interested in reporting that explains the successes and failures of government agencies at all levels and of other institutions such as the media, corporations, unions, and foundations that contribute to the existence or solution of public problems. Please send nominations (including a copy of the article or broadcast text) to The Washington Monthly Journalism Award, 733 15th Street, NW, Suite 1000, Washington, DC 20005. Or e-mail us at **editors@washingtonmonthly.com**. Nominations for stories run in September are due October 1, 2001.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

To: Mr. President From: A Black Dude Re: How to Get My Vote

BY TA-NEHISI COATES

DEAR MR. BUSH: LIKE MANY AFRICAN Americans, I have been watching your first months in office with skeptical interest, and have concluded that you are the most unpopular president among African Americans since the civil rights movement.

The signs are everywhere. In the 2000 election, you received a measly 8 percent of the black vote—a dubious distinction only surpassed in 1964 by the hated Barry Goldwater, who, of course, lost the election. A poll taken shortly after the election noted that some 8 out of 10 African Americans believed that you were unfairly elected. Another poll found that only 18 percent of African Americans believed that you care about the needs and problems of black people.

Your reception among the emissaries of Ebonica has been equally frosty. At their annual convention in July, NAACP president and longtime civil rights activist Julian Bond accused you of catering to "the wretched appetites of the extreme right wing." Bond compared your cabinet with the Taliban and blasted it as a bunch of Confederate loyalists. All of this must have reinforced the Republican conventional wisdom: Black people hate us, so don't bother going for their votes.

I have no doubt that you are being told that by virtue of divine edict, black people will never vote Republican; that hating conservatives is our birthright; that at least since the 1930s, our foreheads have been stamped "property of DNC." Thus, your party-mates believe that, for as long as the Statue of Liberty presides over Ellis Island and Old Faithful boils in her subterranean home, then sure as clockwork, the black people of this nation will never vote Republican.

But Mr. President, you and your party no longer have the luxury of ignoring us. The *Washington Post* recently reported that due to the growth in minority populations, if the voting in 2004 goes as it did in 2000, you will lose by roughly 3 million votes. The upcoming congressional races are similarly imperiled, as Republican strategist Bill Dal Col noted: "Going into 2002, we can't have 5 to 9 percent of the black vote ... In the Senate, we have 20 Republicans up [for reelection] in minority-heavy states."

You are clearly aware of these numbers. Since you launched your campaign under the banner of "compassionate conservatism," you have made cursory efforts to court black voters (or at least to placate them enough to keep them from mobilizing against you in large numbers come 2004). You came to the NAACP convention and admitted that your party had not always held aloft the banner of Lincoln. You have pushed the idea of education reform, knowing that African Americans disproportionately suffer from a flawed educational system and have supported the government's minority contracting program. You even kissed Oprah.

But these attempts at garnering the black vote have, thus far, amounted to little more than photo-ops and sound bites, which have also been compromised by your frequent relapses into the racist Republican status quo.

TA-NEHISI COATES *is a freelance writer in New York.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

That speech at Bob Jones University during the campaign, the nomination of Attorney General John Ashcroft, your perceived glee at executing black criminals in Texas, and your refusal to send Colin Powell to the United Nations racism conference have all undermined your halfhearted attempts to bring African Americans under the GOP's big tent.

Lately, too, it seems your handlers have advised you to ignore black people and make Hispanics the mascot minority for the Republican Party. While I wish you well with this strategy, I still believe that with only 8 percent of the black vote, you should expect plenty of nailbiting come November 2004. Which brings me to why I am writing you.

The average brother hates taxes as much as any white guy and sees no shame in getting rich.

Mr. Bush, I am here to tell you that you have been hoodwinked, bamboozled, and led astray. As a black quasi-nationalist who would never actually vote for you myself, I nonetheless have some insights into the politics of my people that you're not likely to hear from Karl Rove or Karen Hughes. And despite what you've been told, I believe that a significant number of African Americans have never been as ripe for a Republican conversion as they are today.

You see, Mr. President, as we move further into the 21st century, African Americans are almost as eager to forget about race as are white Americans. And even with the burden of race on our backs, we are still very much American—greedy, self-absorbed, often socially conservative, and mainly interested in the pursuit of our own happiness, all qualities best represented by the Republican Party. So in the interest of proving that the Democrats should be careful about taking us for granted, I humbly present to you a self-help plan for turning your party's oldest enemy into your best friend:

Step 1: Change your psychology

There is an old saying among black leftists that goes something like this: "The only thing black people resent about slavery is that they were the slaves." You should remember this when courting the black vote. What it illustrates is that black people only have a problem with America when we are the victims.

The Buffalo Soldiers may have been partners in genocide, but we African Americans honor them because they helped make this great union. And black political leaders may dis the Confederacy, but there are more than a few African Americans who celebrate their ties—blood and otherwise—to Dixie.

Yet your party-mates seem to view African Americans as perpetual dissidents—as if we somehow emerge from the womb quoting *Das Kapital*—and consequently, are out of reach come Election Day. Sure we have a history of raising a ruckus, but with a few exceptions, our fight has never been to destroy or even alter America at its core. We just want a piece of it.

A few months ago, I spoke with Black Chamber of Commerce President Harry Alford Jr., a Republican who was part of an effort by black businessmen to kill the estate tax. Alford insisted that he opposed the estate tax because it had a disproportionate effect on minorities, but when I asked him if he would support the estate tax if it were somehow colorblind, he told me that he would not. "The estate tax was implemented to keep other ambitious Americans from getting rich too fast," said Alford. "That's un-American. The sky is supposed to be the limit. This is capitalism."

You see, Mr. President, take it from a black dude who has been accused of teetering on the edge of Marxism: The average brother on the street hates taxes as much as any white guy and sees no shame in getting rich. So the next time you go to a black church, don't see yourself as trying to steal votes from the Democrats. Envision yourself as taking back votes that are rightfully yours.

Step 2: Go Back on Oprah and Apologize for Florida

You don't want to do it. You think an apology would represent a loss of face to the hated Democrats. But Mr. President, history's highway is littered with the corpses of men who could not admit to error, and you have more to gain than you have to lose by apologizing.

First off, an apology does not mean a repudiation of the legitimacy of your administration. No one expects you to step down from office. All you have to say is that mistakes were made and that you sincerely regret the way black voters were treated in Florida. An apology in this instance would be good for any group, but it will work especially well with African Americans, who have a history of offering redemption to fallen souls (see: Bill Clinton).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Our history in this country has also been rife with incidents that found us on the heel end of the U.S. government, without even so much as an "Oops. My bad." Thus, we are very sensitive to the idea that white politicians could care more about the shine on their wingtips than the fate of the average brother.

After Florida, an apology from the most powerful white man in the country—for anything—would hold tremendous weight with African Americans. Furthermore, after two centuries of near total de facto and de jure disenfranchisement, there is no single right African Americans hold more dear than the right to vote (even if we don't always exercise it). The thought that you came to power because a Republican-run state denied us that right is infuriating. If you don't apologize, expect an even bigger black turnout aimed at sending you on a permanent vacation to your ranch in Crawford.

Step 3: Ignore the head, aim for the body

Having softened up black voters some with these friendly gestures, you should now attempt to sway them with your presidential agenda. This is a tricky matter, as most whites looking to appeal to African Americans try to go through designated figureheads such as Julian Bond.

For you, Mr. President, this simply is not an option. The NAACP, the ranking syndicate of black talking heads, takes particular glee in hurling invectives your way. But fear not. It is common knowledge among African Americans that the NAACP still thinks this is 1963. Furthermore, the organization's two highest-ranking officials, Bond and Kweisi Mfume, are both former Democratic legislators. You could step out onto 125th Street in Kente cloth, do your best rendition of "People Get Ready," offer reparations for slavery, and the NAACP would still grumble.

You should listen to your administration's old head, black conservative Robert Woodson, whom you were smart enough to enlist in your faith-based initiative but from whom you weren't smart enough to take advice. Woodson believes that you should tell the NAACP to talk to the hand. "If he tries to play this civil rights game, then he loses," says Woodson, who heads the National Center for Neighborhood Enterprise. Woodson was right when he said that you should have said "Hell no!" when the NAACP invited you to its national conference, instead of begging off with a "scheduling conflict."

Then, having dissed black America's self-perpetuating puppet government, you can take your message directly to more receptive elements in the black community. You see, while you may not be able to co-opt the national leaders, certainly you can co-opt the local ones. They may not like you, but they will at least listen to your message. Why, you ask? Because you will throw money at them, of course, which we all know the GOP has plenty of.

"Every month, [President Bush] should go to a city and visit a grassroots group and invite some of his wealthy donors to pull out their checks and donate some money," advises Woodson. "When you provide

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

something of substance to grassroots leaders, then you can withstand the storm of criticism." Or at least pay them to go on TV and withstand it for you.

There are also several venerable institutions of black aristocracy that would welcome your attention. Thanks to skewed media coverage, many whites have somehow arrived at the conclusion that they are the only ones with old money. I can't blame this all on the media, as black writers themselves are often nauseated by the idea of actually studying these powdered-nose stiffs.

Bush could step out onto 125th Street in Kente cloth, do his best rendition of "People Get Ready," offer reparations for slavery, and the NAACP would still grumble.

Nevertheless, there is a substantial community of well-to-do African Americans who have created their own aristocratic institutions—debutante balls, country estates and whatnot—and who should be receptive to much of your message. African Americans have a long history of blue-bloodism, espoused by such organizations as the professional fraternity Sigma Pi Phi (better known as the Grand Boulé, think of it as the black version of Skull & Bones) and the Links, sort of the black equivalent of the Junior League. (The current Boulé head is a former Phillip Morris VP.)

I suggest arranging an audience with the bigwigs of these organizations as soon as your schedule permits, as well as canceling some of those White House T-ball games to make room for a few visits from the Jack and Jill clubs, the black aristocracy's elite youth organization. If you are worried about the traditional hostilities blocking your appeals, I can tell you that color will always lose out to purse strings.

Step 4: Maximize your assets

With strong ties to grassroots activists and the black bourgeoisie locked up, you will then have a base to take your war for the black vote national. Until now, you have been pussyfooting with your adversaries. But now the time has come for you to unveil your most potent weapon this side of Colin Powell: Robert Johnson, CEO of Black Entertainment Television (BET). A racial opportunist of the highest order, who specializes in being black only when he can get an airline company out of the deal, Johnson is pivotal in your efforts to integrate your 2004 returns.

A few months ago, while asserting that the estate tax should be repealed, Johnson extended an olive branch: If the president is "smart," Johnson said, "he'd take the opportunity to reach out to these African American business leaders and say, 'We agree on at least one thing. What else can we talk about?'" Appointing him to your 15-member Social Security commission was a brilliant first step—especially given that Johnson really does believe in privatizing the pension program—but I believe that you can get even more out of the deal.

First, you should prominently display Mr. Johnson, and others like him, in your photo-ops. This is about tokenism, Mr. President, a game your father understood well. When blacks clamored for another minority to replace Thurgood Marshall on the Supreme Court, your father was able to exact wicked revenge by giving them Clarence Thomas. While I don't suggest appointing Johnson to any judicial positions, you can use him to further show off your racial sensitivity.

Next, you should capitalize on Johnson's control over BET. Although Johnson recently sold it to Viacom, BET, despite its meager programming, is still a regular stop-off point for African Americans fiddling with the remote control. BET offers the possibility of endless public relations ploys. For instance, you could give an exclusive interview to the bland host of "BET News," Ed Gordon. You could give BET exclusive rights to your next State of the Union address. Better yet, you could simply pen a "State of the Black Union" address, adopting Johnson's motto at BET: "We don't have to reinvent the wheel. We just have to paint it black."

Finally, Mr. President, you must persuade Johnson to switch parties. Johnson represents precisely the type of African American who is vulnerable to the GOP allure. Johnson's race consciousness has never prevented him from engaging in time-tested Republican business strategies—like, say, busting up union-organizing at BET (unions formed by black workers, no less) and underpaying his employees. And Johnson is one of those African-American Democrats who stick to the party more out of habit and suspicion of GOP racism than any particular support for the Democrats'

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

liberal platform. A public switch by Johnson could have more long-term impact than any treachery by Jim Jeffords. By joining the GOP, Johnson would be breaking a taboo, making it acceptable for thousands of other black fencesitters to comfortably make the leap with him. You should revive that airline deal to speed up the transition—preferably, for you, before the midterm election.

Step 5: Recognize that the hip-hop nation is a conservative nation

Your father never enjoyed a great relationship with the black Generation X crowd. Commenting on your daddy's presidency, Chuck D rapped, "Who am I to tell a lie\I'd rather push the Bush\Hope the cracker gets crushed." Hip-hop elder statesman Ice Cube, on his album, Death Certificate, coldly observed that a bird in the hand "was worth more than a Bush." (A Bird is Ebonics for cocaine meant for sale.)

But a curious thing happened during the Clinton years. As the economic fortunes of African Americans rose, the angst of their music fell. Today, the mantra of the hip-hop generation is uniquely American and wholly capitalistic. You can't go more than three songs deep into the average hip-hop CD without hearing the slogan "get money," or an offhand reference to "stacking paper."

This new hip-hop generation eschews political militancy in favor of pursuing the materialism that is America's promise. Young enough to have escaped segregated schools and Jim Crow, black youths have been more free to pursue jobs in the private sector than their parents, whose main route to the middle class often came through the Democratic arteries of civil service. As a result, many black young people would be right at home with the suits in the Republican Party, if only you'd invite them in.

This is more than creative interpretation, Mr. President. "Among African Americans ages 26-35, maybe 40 percent are interested in the privatization of Social Security, at least two-thirds support school vouchers, [and many] are pro-business," says David Bositis, senior policy analyst for the Joint Center for Political and Economic Studies. "They have a lot of attitudes that, if not for race, they would look like Republicans." But according to Bositis, the stigma of the Republican Party is so powerful that many of these party-less conservatives simply don't vote.

Mr. President, you may not want your daughters bringing home the average hip-hop aficionado, but you could sure use his vote. So take a few cues from your predecessor: Issue pardons for Suge Knight, Ol' Dirty Bastard, and Snoop Dog, while ordering John Ashcroft to launch a federal task force devoted to solving the murder of Tupac Shakur.

Step 6-The Final Solution

Once you've shocked the Democrats by winning over the hip-hop vote, it will be time to move towards the end game. For this, Mr. President, you will need to unleash the deadliest weapon in your arsenal, a warrior who will end all wars over the black vote—or at least make it a fair fight. If you want the black vote in 2004, you must dump Dick Cheney and tap the indomitable Colin Powell as your vice-presidential candidate.

At the ballot box, Cheney serves only to retain the right-wingers in your party who have nowhere else to go, anyway. But Powell has the complexity to take you places. First, he is a military man, with credibility among white blue-collar voters that many white candidates never enjoy. But here's the bonus, Mr. Bush: Black people like Colin Powell, too.

Unlike Clarence Thomas, who is widely viewed in the black community as someone who more than lives up to his last name, Powell is much harder to dismiss. He has come out in favor of affirmative action and has stated that he is pro-choice (which you must politely ignore the same way you do your mother's position on this issue). Powell's wife is black—this is more important than you may think—and the couple comes off in interviews as quintessentially American. African Americans have tremendous respect for him, and only among the hardcore black nationalists do you hear Powell dismissed as a sellout.

With Powell on your ticket, Mr. President, you would effectively muzzle the NAACP and automatically garner a free pass from the diversity police. For Powell is that rare black Republican who somehow has managed to avoid the stigma that the average black conservative must face. But he will be a hard sell, the hardest of them all: Powell will not take a job in which he is simply black window dressing for a morally bankrupt administration. He will want Dick Cheney's power, and you will need to reassure him that he will be able to make a difference in some big and meaningful way. Even more difficult, you will ultimately have to persuade Alma, his wife, to let him take the job. After all, she has vetoed a Powell presidency, and will need more than a reading program to convince her that the job is worth the risks. Bring in your mother, Barbara, if necessary, to help make the pitch.

None of this will be easy to negotiate, Mr. President. But I guarantee you: If you follow my plan, black America—no, *all* of America—will be yours in 2004. ●

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Left Hook

As you get older you're supposed to become more conservative. Am I the only one going the other way?

By David G. Bowman

Winston Churchill once famously declared, "If you're not a liberal when you're 20, you have no heart. If you're not a conservative when you're 40, you have no head." But Churchill never met my family. For as long as any of us can remember, the Bowman clan—my parents, their parents, their siblings, nephews, and nieces—have voted Republican. And until recently, so did I, following a predilection that, with apologies to Sir Winston, was much more a matter of heart than head.

I remember, in 1964, when I was seven years old, bending over for a drink of water from the classroom fountain. Behind me, I heard a classmate's sneering voice: "Eeew, that's gold water you're drinking!" As in Barry Goldwater, the Arizona Republican who was running against Democrat Lyndon Johnson in the presidential election. I turned around and glared at the boy. I wore a Goldwater button on my shirt; he wore a Johnson button.

I didn't know Goldwater from fluoridated water, but because he wore the Republican label, because he was a conservative, he was the "good" guy, the enlightened elephant. Johnson, the rough-hewn Texan, was an ass-backward Democrat, a liberal, the "bad" guy.

The election was a landslide, of course, but I didn't ascribe Goldwater's crushing loss to any failing of his party. The Republicans were virtuous, the Democrats vacuous. We'd come back. We'd get our revenge. Or so my parents said. And so I believed.

I carried the Republican mantle well into adulthood, helped along not only by parental inculcation, but also by the mythology of Abraham the Emancipator, my favorite president. As I grew older, I learned that American political history is full of nuance, of strained loyalties, of opportunism and expediency, and that a particular party affiliation isn't something you have to profess forever.

Perhaps the most prominent exemplar of this sort of ideological evolution is writer/commentator David Horowitz, whose long, eventful trip from '60s leftist to right-wing gadfly has been amply chronicled. Horowitz has often been held up as proof that the old Churchill adage is a kind of iron law of human nature. But over the last decade, a fair number of prominent conservative writers and intellectuals have made the opposite journey—people such as Arianna Huffington, Michael Lind, David Brock, and Marshall Wittmann.

All these transformations have left me dissecting my own slide across the continuum. The older I've gotten, the more liberal I've become. I like to think that, unlike Horowitz, I've done so thoughtfully and gradually—with no bitterness, no descent into stridency, no contempt for the people or positions I once embraced. I suspect millions of other Americans have made this same right-to-left journey under the radar.

How many of my boomer cohorts—those born between 1946 and 1964—have joined me in this right-to-left transition? And to what extent? It's hard to know for sure, but there's evidence that our numbers are growing. Larry J. Sabato, director of the University of Virginia's Center for Governmental Studies, has been analyzing polling data for 30 years. One thing

David G. Bowman *is a freelance writer in Waikoloa, Hawaii.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

he's seen is a clear change in ideology and candidate choice among voters with higher educational levels.

Gallup Poll data from the 1940s and '50s, he notes, showed that the likelihood of voting Republican in presidential elections increased fairly steadily with education. In fact, the highest concentration of GOP voters was among people with graduate training.

Gradually, however, from the 1970s through the disputed 2000 presidential election, a distinct and fascinating shift took place: While those with the lowest educational attainment remained heavily Democratic, and those with a college degree remained substantially Republican, those with postgraduate education, which included millions of boomers, began voting Democratic.

Instead of moving left as they've gotten older, many boomers may have simply stayed left—except in the parlous realm of mortgages, 401-Ks, and college funds.

In the 2000 race, according to Voter News Service, those with some college education selected George Bush over Al Gore by 51 percent to 45 percent. The breakdown was the same for those with a college degree. Those with high-school diplomas barely went for Bush, 49 percent to 48 percent. But those with some postgraduate education preferred Gore, 52 percent to 44 percent.

How to account for the increase of Democratic voters among those with postgraduate education? Sabato says the superficial explanation is that boomers may be just as conservative as previous college graduates on economic issues, but considerably more liberal on social matters (e.g., abortion, gay rights, drug use, sex, the environment)—a reflection of their coming of age in the watershed '60s and '70s, when society's norms were being challenged as never before.

Indeed, survey data from the National Opinion Research Center (NORC) in Chicago show that many boomers may have become more conservative over the years, but only in a broad, general sense; on a range of individual issues, they've marched in the other direction. NORC tracked a group of respondents from 1970 to 1990. In 1970, according to NORC, those who considered themselves liberal or slightly liberal totaled 17.9 percent and 20.1 percent, respectively; in 1990 those figures had dropped to 11.2 percent and 14.3 percent. Conversely, those who viewed themselves as conservative or slightly conservative in 1970 registered at 7.5 percent and 12.4 percent; in 1990, those percentages had risen to 15.3 and 17.1. The percentage of those who regarded themselves as moderate stayed fairly constant.

Yet on specific questions, the respondents' positions were certifiably more liberal. In 1970, 22.1 percent agreed that a woman's role is to take care of the home; in 1990, only 11.2 percent held that view. The number who disagreed went from 80 percent to 89 percent. On whether a homosexual should be allowed to formally address a community gathering, 77 percent said "yes" and 23 percent said "no" in 1970; in 1990, those percentages had changed to 85 and 15, respectively. On whether Caucasians have the right to segregate their neighborhoods, 11.6 agreed strongly, and 47.3 disagreed strongly in 1970; in 1990, the numbers were 3.6 and 68.7.

"There are some bedrock values we [boomers] still maintain as we grow older," says John Zogby, 53, president and chief executive officer of Zogby International, a polling and market research firm. "We believe in government regulation, for example. We believe in opposition to racism. We're in favor of social justice, and we're not so inclined to war. I think there will always be that tug on baby-boomers to become more conservative, but it will always be tempered by those values that are deep and sacrosanct."

It seems that instead of moving left as they've gotten older, many boomers may have simply stayed left—except in the parlous realm of mortgages, 401-Ks, and college funds. What moved to the right, of course, was the Republican Party.

From Tricky Dick to Slick Willie

If the Republicans had charted a different course historically, I might still be in the fold. The rock-ribbed Republican tradition of my family held a powerful sway. I recall my father saying that the only Democrat in his rural southwest Ohio family was

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sort of an outcast, the odd duck in a clan that was lucky enough to have escaped the ravages of the Depression.

To them, Franklin Delano Roosevelt was not the avuncular savior of a beaten-down nation, wielding palliative power through the expanding medium of radio. He was the effete architect of an alphabet-soup bureaucracy that would keep on ballooning right through the Johnson years, putting all of our liberties at risk.

Having grown up in a staunchly Republican household—among the mementos in my late grandmother's home was a silver dollar of Dwight D. Eisenhower, minted for the party faithful by the GOP National Committee—I automatically bought the line that the party that knew best. The identification with Thomas Nast's pachyderm was visceral and largely unthinking.

I remember my father pounding his palm and inveighing against "those damn liberal Democrats," his eyes bulging as he sputtered the words. I remember the elation our family felt after Richard Nixon had squeaked past Hubert Humphrey in the 1968 presidential nail-biter (we went to bed not knowing who had actually prevailed). Even in 1972, when the crimes of Nixon and his henchmen were in full flower, we went for "Tricky Dick" over the decent but hopelessly overmatched George McGovern.

It wasn't until after the elections of the amiable, soporific Ronald Reagan and the patrician-turned-cowboy-wannabe George Bush Sr. that I began to detect an inner shift in my political fault lines. It's a morphing that I'm sure many of my demographic brethren also experienced—born in the middle or late '50s, too young for Vietnam but old enough for the Beatles, seduced in varying degrees by drugs, and disenchanted by Watergate and Iran-Contra. We became wary, and weary, of Democrats and Republicans alike (but especially the latter).

But old habits die hard. I know it was due more to family tradition than political awareness that I went for Gerald Ford in 1976, Reagan in 1980 and '84 and Bush the Elder in 1988. I had swallowed the perception that Carter was a bumbling neophyte, way out of his depth politically.

Of course, Reagan cast his own inimitable spell, the stock in trade of a seasoned actor. His "aw-shucks" self-deprecation was a clever cover, its soothing effectiveness on full display in the aftermath of the 1981 assassination attempt. The Great Communicator called ketchup a vegetable, downplayed intellectual inquiry, declared that trees cause pollution—and presided with somnolent detachment over a cabinet rife with corruption, secrecy, and illicit dealings. And yet, seduced by that geniality, galvanized by his anti-Soviet rhetoric, and perhaps remembering that my parents adored Ronnie when he was the two-term governor of California, I voted for him twice. I would not do the same today.

As I moved left across the political spectrum, I felt twinges of guilt. Even as I saw the Republican Party increasingly become the redoubt of fat-cat business moguls and right-wing militia types, of religious fanatics and environmental predators, I still retained a vestigial attachment, albeit tenuous, to the party of my youth. I suspect that's why I opted for Bush Sr. over Michael Dukakis—like Carter, a decent, unglamorous man with workable ideas but victimized by bad press. I feared that a defection from the GOP would be seen by my folks as a betrayal of the comfy middle-class background I had the privilege of enjoying—the sort of background, they said, that Republicans were better at protecting.

Nonetheless, I voted for Bill Clinton, in both 1992 and '96, partly because of his smarts, partly because of his platform, and partly because he represented the baby-boom generation. And in fact, my family was quite accepting of my conversion. When in '92 I indicated my preference for Clinton over George Bush, Dad jokingly said, "Well, there goes your inheritance."

Later, as the impeachment scandal unfolded, Dad got in his "I told you so." But the tawdriness of the chief executive still did not send me scampering back to the party of Lincoln, which the GOP no longer resembles. After watching Republicans emerge as a group of snarling reactionaries, willing to speak at Bob Jones University, pander to gun nuts, scuttle a woman's right to choose, and desecrate public lands in the name of "wise use" profiteering, I doubt that even Eisenhower—the last GOP presidential hopeful for whom African Americans voted in sizeable numbers—would recognize the party now. Jim Jeffords certainly doesn't.

Last year, as I stayed up into the wee hours to watch the Gore-Bush contest on Election Day, I was reminded of our family's Nixon-Humphrey vigil in 1968. Only this time, I was pulling for the other party. That its standard-bearer could win the popular vote but be denied the presidency because of one state's questionable ballot irregularities and a politically-biased Supreme Court—well, that's one civics lesson that nobody, not even a button-wearing seven-year-old, should have to endure. ●

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Reconstructing Rockwell

How an American icon became an artist

By Christina Larson

Artists eligible for critical accolades are expected to wrestle down psychological demons. Scholars pontificate upon Sylvia Plath's *The Bell Jar*, Edvard Munch's "The Scream," and even Hendrix's "Manic Depression," but how many art historians peruse Norman Rockwell's "Boy Scouts' Calendar"?

If you thought that the great romanticizer of small-town America didn't fit the tortured-creative mold, Laura Claridge's new biography, *Norman Rockwell*, will change your mind. Its revelations about the artist's private life, which scarcely resemble his defining Hallmark-card iconography, clear the way for Rockwell to enter the critics' pantheon of serious American artists. (Of course, the rest of us have long been charmed by his command of posture and facial expression and by his fastidious attention to details.)

NORMAN ROCKWELL
by Laura Claridge
Random House, $35.00

Having rifled through Rockwell's family medical records and gossiped with old neighbors, Claridge has turned up the sorry details of the longtime *Saturday Evening Post* illustrator's personal battles with depression and the alleged suicides of his first two wives. In the upside-down world of art criticism, such exposure seems to be a prerequisite to regarding the painter as more than a two-dimensional workaholic patriot.

Claridge's book, released to coincide with a major Rockwell exhibit at the Guggenheim Museum in New York, is the latest scholarly reappraisal to resist the decades-old exclusion of commercial illustrators from art history syllabi. She reminds us that making a living as an artist often requires accommodating public taste, and that, unlike today's public, the middle-class Americans of Rockwell's time didn't openly discuss Prozac prescriptions or believe that self-expression was always a good thing.

Norman D-Day

Rockwell was born in 1894, a year before Oscar Wilde's "indecency" trials damned the literary virtuoso's career for offending public decorum. As the second son of a Yankee cotton merchant of English descent, Rockwell grew up in Harlem's Morningside Heights, dropped out of high school to attend art school in New York (financed, just barely, by a paper route and some early pupils). He then worked for a boys' magazine as art editor and cover artist before placing his first cover with the *Post* in 1916, at the age of 22. Except for a brief stint in the Navy (as a varnisher and painter, third-class) during World War I, he worked as an illustrator for his entire life, mostly in New England, painting 322 covers for the *Post*, as well as illustrating hundreds of advertising campaigns.

His time at the *Post* coincided with the magazine's heyday, when it reached more than 4 million households weekly; but by his departure in 1963, the old mag-

Christina Larson *is the associate publisher, and occasional illustrator, of* The Washington Monthly.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

azine was wheezing for subscriptions. Rockwell painted a series on the civil rights movement for *Look* magazine in the '60s, but by then, the influence of the illustrators had waned significantly. Before he died in 1978, the commercial viability of the trade had been all but eclipsed by photography and video technology.

A bit like Mark Twain's portrait of all-American boy Tom Sawyer, Rockwell's paintings enshrined certain wholesome archetypes in American consciousness: the good-humored, commonsensical guy-next-door, the industrious shopkeeper, the earnest daydreamer. During his prime in the 1930s and '40s, Rockwell was a mythmaker for the generation of Americans who lived through the humiliation and despair of unemployment during the Depression, and later, the fear and urgencies of World War II.

His "Four Freedoms" paintings, based on a speech by FDR, sold over $100 million in war bonds. In another series of wartime *Post* covers, he chronicled the war experiences of a fictional character, Willie Gillis, whom Rockwell described as "an inoffensive, ordinary little guy thrown into the chaos of war." The little guy living up to a larger sense of duty is a typically Rockwellian theme, and an idea which resonated strongly with the World War II generation. As proof that the public took Rockwell's art for fact, hundred of letters from Gillises across the country poured in to inquire about the fate of their long-lost relative.

Although he was in tune with the great historical movements of his time, Rockwell seemed aloof from the contemporaneous shifts in high-art sensibility. Born in the era of Pre-Raphaelites painting sentimental images as a form of moral instruction, Rockwell lived to see Modernist philosophy accepted as orthodoxy. While his microrealist technique and penchant for visual storytelling remained almost unchanged from World War I right through the civil rights era, the high art world progressed through Cubism, Fauvism, Bauhaus movement, Dadaism, Surrealism, Abstract Impressionism, Pop Art, and Minimalism.

In truth, Rockwell wasn't so much oblivious to these movements as he was unable to achieve commercial success with them. For a brief stint in the late '20s, he studied Picasso, hung Cubist paintings in his studio, and struggled to integrate modernist techniques with his traditional storytelling method during what he later referred to as his "James Joyce-Gertrude Stein period." His efforts were a failure in the eyes of then-*Post* editor George Horace Lorimer, and Rockwell soon went back to the crowd-pleasing scenes he did best.

His contemporaries in the high-art world, many of whom never actually made a living as artists, scorned Rockwell as a "mere illustrator," a wholesome but backward bumpkin who wouldn't know Monet from Manet. In the early 20th century, the art-for-art's-sake movement damned commercial artists to a lucrative, but spiritually vacuous, place on the art totem pole.

But today's art connoisseurs are taking a second look. As *New Yorker* art critic Peter Schjeldahl says, "Rockwell is terrific. It's become too tedious to pretend that he isn't."

Sex, Drugs and Rockwell?

Popular interest in Rockwell began to revive in 1994, the centennial of his birth and the year after the Rockwell Museum debuted in an elaborate new building in Stockbridge, Mass., where Rockwell lived his last years.

Then a few lonely critics—notably Robert Rosenblum, contributing editor of *Artforum* and curator of 20th-century art at the Guggenheim, and Dave Hickey, iconoclastic professor of art criticism at the University of Nevada Las Vegas—confessed that they actually liked Rockwell. His originals became hot items at high-end art auctions, with "The Watchmaker" fetching $937,500 at Sotheby's in 1996. Ross Perot and Steven Spielberg boasted of being fans.

In 1999, Atlanta's High Museum of Art collaborated with the Rockwell Museum to organize the first major touring collection of the artist's work, which includes stops at such respected galleries as the Corcoran Gallery of Art in Washington, D.C., the San Diego Museum of Art, and the Guggenheim.

Claridge, a former English professor at the U.S. Naval Academy, first encountered a Rockwell canvas in 1995 on a family vacation at the National Baseball Hall of Fame. Having previously seen only low-grade reproductions on calendars and other memorabilia, she was impressed by his masterly composition and technique. She undertook biographical research and soon found herself caught up in the rising revisionist tide.

She dug through the archives of the Rockwell Museum, spoke with its crusading museum director, Laurie Norton Moffat, as well as with each of Rockwell's three sons. She combed through family medical records and extracted secrets from opinionated neighbors. Unfortunately, she drums up every hint of scandal, while sometimes shortchanging the actual body of Rockwell's work.

In trying to convince the reader that her research fills a critical scholarly void, she has a tendency to overstate her case. Her opening line implies a debate that never occurred: "Norman Rockwell was not sadistic." This line—as well as her dramatic musings—

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

might have worked well in a novel, but in the context of a biography, it seems overripe. For example: "Imagining the family scene where Norman Rockwell undertook his first drawing proves irresistible ... Norman, those intelligent, restless eyes signaling that he thought he could do just as well as his brother, quickly realized that he could do even better." Those restless, intelligent eyes?

Admitting to a crush on her subject in her introduction, Claridge fixates partisanly on the unhappy details of Rockwell's married life. His first wife, Irene, struggled with depression during their 14-year marriage, filed for divorce, and within two years landed at McLean Sanitarium, the New England asylum later home to such famous guests as Sylvia Plath and Robert Lowell. When Irene drowned in her bathtub, rumors of a suicide circulated.

Rockwell's second wife, Mary, sought treatment for depression and alcoholism at the private mental institution Austen Riggs in Stockbridge, Mass. While the family was living in Arlington, Vt. in the early '50s, Mary drove more than an hour and a half to Riggs each week when she wasn't staying there for months at a time. Eventually, the family just moved to Stockbridge.

Rockwell himself also sought professional assistance. When, or precisely why, he sought treatment for depression from Riggs' famous psychologist Erik Erikson is not known. Claridge teases the reader with reporting on the existence of his medical records, but provides few details.

Mary died at age 51 of heart failure, and Rockwell reportedly told his nephew, Dick, that he feared that she, too, had committed suicide. The book gauges the impact of these events on Rockwell mostly through the recollections of relatives and neighbors: "Those who interacted with the widower usually mention that Norman Rockwell walked around for the next year like a marked man." But the narrative never gives the sense of having penetrated the artist's psyche.

Neither, despite her harshness toward Rockwell's wives, does Claridge explore why Rockwell was so drawn to dark women. Did their melancholy allow them to understand Rockwell at a level that his editors and public never could? Were they his muses, or merely distractions? Or was the optimistic crowd-pleaser simply a magnet for needy women?

What Claridge does make abundantly clear is the financial cost of mental health treatment in an era when thorazine was just making its debut. Beginning in the '50s, Rockwell handled fewer covers for the *Post* in order to take on more lucrative commissions from such companies as Mutual Life Insurance and Kellogg's Corn Flakes to pay for school tuition and Mary's private therapy. Treatment at Riggs ran $1,800 a month—an enormous sum that in today's dollars would amount to more than $12,500.

In the end, Claridge's exposition of Rockwell's complicated personal history leaves the reader with many unanswered questions, primarily: Why does all this come as such a surprise? After all, many of her sources were public records. His first two wives' deaths were noted in local and national papers, and Rockwell's 1960 autobiography, *My Adventures as An Illustrator*, alludes to his depression. But a quarter-century after his death, none of this has been incorporated into the Rockwell myth.

Perhaps this was because Rockwell, a proper New Englander at heart, had no private inclination or public encouragement to exploit his personal tragedies. He also couldn't afford to alienate patrons like the *Post*, which catered to 4 million middle-class Americans. But Claridge's research now allows us to wonder:

If affordable mental health treatment like Prozac had been available in Rockwell's day, perhaps the artist could have passed on the Knox Gelatin commissions, indulged his darker impulses, and joined the avant-garde. ●

Rosie the Riveter, an iconic Rockwell creation, on a 1943 Post cover

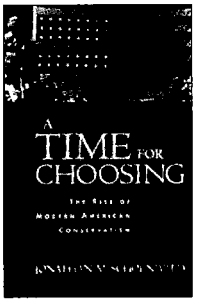
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Political Booknotes

Ur-Conservatives

By Franklin Foer

In the early sixties, this country's leading rightist was a candy manufacturer from Cambridge, Mass., named Robert Welch. He followed his wildly successful promotion of the Sugar Daddy with his wildly successful promotion of the John Birch Society. Both a crank and salesman of the highest order, Welch managed to simultaneously place the popular ex-president Dwight Eisenhower at the center of a communist conspiracy and to build an army of suburban supporters. His movement grew large enough to warrant the cover of *Time* and a denunciation from President Kennedy.



A TIME FOR CHOOSING:
The Rise of Modern American Conservatism
by Jonathan Schoenwald
Oxford University Press, $35.00

Welch's heyday, however, was fleeting. By the '70s he'd been shoved to the fringe of the political scene, causing him to grow even crankier. In 1979, he published a pamphlet called, "False Leadership: William F. Buckley, Jr. and the New World Order." The *National Review* editor, he surmised, craved "a place in the Establishment which he professes to oppose, in the expectation of sharing influence with such as [sic] Henry Kissinger and the House of Rockefeller in a New World Order."

There's a lesson to be gleaned. While liberals consider Buckley to be a wing-nut, he's far from the real deal. Yet the conservative confectioner wasn't entirely nutty. He had some rational reasons for despising Buckley. More than anyone, Buckley had discredited the John Birch Society. In the pages of *National Review*, Buckley denounced Welch for "distorting reality." And in conservative circles, he demanded that the movement marginalize the Birchers.

In a nutshell, the Buckley-Welch feud is the story of conservatism—and the story told in Jonathan Schoenwald's admirable narrative. According to Schoenwald's thesis, American conservatism only succeeded after it banished the conspiratorial extremists like Welch from its ranks. This wasn't such a painless task. For Buckley, disavowing the Birchites meant disavowing thousands of the subscribers to his own magazine. (A month after *National Review*'s first anti-Welch editorial appeared, William Rusher, the magazine's publisher, counted twenty donors who had revoked donations to NR and dozens of canceled subscriptions.) For conservative politicians, dissing the extremists was even more unpleasant. It potentially meant alienating rank-and-file voters and activists with a ferocious appetite for campaign drudgery.

But it was a necessary task. Without creating daylight between the extreme right, conservatism would have relegated itself to the fringe. And in 1964, this looked exactly like what would happen. During his presidential campaign, Barry Goldwater had stubbornly resisted the advice of Buckley and refused to condemn the Birchers. "I am far more concerned, frankly, with the extremists to the left than I am with the extremists to the right," he told *Meet the Press* host Lawrence Spivak. Accepting the Republican nomination, he even seemed to pipe up on their behalf. "I would remind you that extremism in the defense of liberty is no vice," he famously bellowed. Of course, this was not such a wise line. The moderate wing of the Republican party—Nelson Rockefeller, William Scranton and Mark O. Hatfield—lashed him at his own convention for condoning kooks and segregationists. At every turn, the Johnson campaign suggested that Goldwater himself was an unstable, radical character. The Johnson strategy worked devastatingly well. Goldwater went down, 61 percent to 39 percent, one of the ugliest defeats in American political history.

In conservative lore, Goldwater is remembered as a heroic figure—the romantic warrior who survived the abuse of the liberal elite by clinging to unpopular principles. In reality, he was an object lesson. Ronald Reagan's 1966 campaign for California's governship set the template for future conservative campaigns. The Gipper's key move: to downplay ideologyand translate the tough theory of conservatism—its libertarian harangues and traditionalist asceticism—into accessible anecdotes and sunny sloganeering. He chose the "creative society" as his mantra. In other words, he ran a campaign that prefigured George W. Bush's compassionate conservatism. Although Reagan exploited anxiety over riots and crime, like Bush, he made gaudy appeals to African American voters and blurred his differences with his liberal foes.

Of course, it's possible to exaggerate the conservatives' success. They've never entirely been able to scrub off the tinge of extremism. Bill Clinton, for one, successfully tied Newt Gingrich and the congressional Republicans to Timothy McVeigh and the militia freaks. Republicans usually invited the linking. Unlike Reagan, the congressional Republicans spoke in militant tones and seemed to breathe hatred for government. Still, Schoenwald's thesis holds up pretty well. He seems to have persuasively identified the moment in conservative history—in the mid-Sixties—when the movement shed its heaviest baggage, toned down its ideological ranting, and took over the Republican Party.

More than any American political movement—certainly more than liberalism—conservatism has received lavish scholarly and journalistic attention. The best political histories and biographies of the past two decades have traced the genealogy of the movement. (See Sam Tanenhaus's *Whittaker Chambers* and John Judis's *William F. Buckley, Jr.: Patron Saint of the Conser-*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

vatives.) This year, Rick Perlstein added to the shelf with *Before the Storm,* his wonderful history of the Goldwater campaign. Schoenwald's rather academic book doesn't ascend near these heights and even repeats the information in some of these other books. But in this crowded field, he has accomplished a remarkable feat: rooting around the boxes in the conservative attic and recovering some of the more forgotten moments and figures from the movement's past. He's especially strong when describing the far right. There's Raymond Moley, a staunch New Dealer who lost his faith and went on to travel the conservative speaking circuit; and there's General Edwin Walker, a demagogic anti-communist who provided the inspiration for the Burt Lancaster character in the film, *Seven Days in May.*

Along with the Judis and Perlstein books, *A Time for Choosing* shares an interesting characteristic: it's written by a man of the left. You can understand the subject's appeal to liberals: it's exotic. Unlike liberalism, conservatism is both a political theory and a political movement. So, conservatives behave like members of other political movements. They purge their ranks and discipline obstreperous dissenters and always feel embattled. But Schoenwald reveals a more troubling fact about the movement—and a reason why the subject would attract so much liberal attention: When conservatives dissociate from their extremist hangers-on and refrain from grand ideological pronouncements, they have an awfully solid record of squashing Democrats.

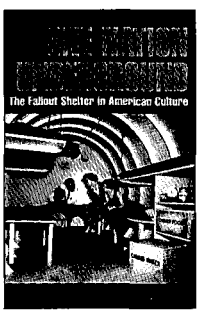
FRANKLIN FOER *is an associate editor of* The New Republic.

The Original Missile Shield

By Michael Schaffer

AMERICANS NEVER ACTUALLY had to live in fallout shelters, but shelters wound up living in us: Forty years after nuke-fearing suburbanites set about digging up their backyards, the underground sanctuary survives as a supreme example of mid-century kitsch, the civil-defense version of the malt shop. These days, the once-secret Greenbrier shelter, built to protect Congress from the Soviets, offers tours for curious nuclear buffs. A single-family shelter, meanwhile, stars in the 1999 romantic comedy *Blast From the Past,* playing the inadvertent time capsule in which hunky Brendan Fraser—along with his tight pants, Perry Como records, and love of Jackie Gleason—travels to contemporary America.

According to California State University's Kenneth Rose, the actual story of the fallout shelter turns out to be a little more complicated than the histories of Chevrolet tail-fins and martini-glass design. Americans may have been convinced that Khrushchev was going to drop the big one, but only a few of them proved willing to build radiation-proof hideaways under their petunias. In explaining why, Rose has crafted a broad-ranging narrative that covers the politics, culture, religion, and even engineering of the Cold War era.



ONE NATION UNDERGROUND:
The Fallout Shelter in American Culture
by Kenneth D. Rose
New York University Press, $26.95

And as a new political generation, facing less of a global threat, weighs its own antimissile program, Rose crafts a story about the disparate interests that work to make these sorts of pipe dreams happen—or manage to get in their way. As it turns out, the high profile and massive scale of the perceived nuclear threat may have actually helped doom efforts to build an organized shelter system. The debate over the moral, financial, and geopolitical consequences of the fallout shelter was hard to escape. In the face of that debate, most Americans came to a conclusion that was at once practical and essentially decent: They said no. This time around, though, it may well turn out to be tactical concerns—war is unleashed on Americans via hijacked planes, not ICBMs—rather than moral dilemmas that turn us against the scheme.

One Nation Underground opens with a look at the global and domestic politics of the early Cold War. Long isolated from the home-front carnage of war, Americans were understandably frightened by the threat of domestic tragedy. As the perception of Moscow's strength increased, and with President Eisenhower resolute that any Soviet attack required a massive response, the sense was that the potential tragedy would be huge.

The most vivid sections of the book deal with the culture of atomic paranoia, a genre of film and literature Rose dubs "the nuclear apocalyptic." Between 1957 and 1964 alone, 169 short stories and novels dealt with the threat of nuclear war. In journalism, the nuclear what-if piece became a newspaper cliché: Municipal dailies from coast to coast wrote up descriptions of what would happen were their city to get A-bombed. Other papers participated in preparedness drills by printing up fictional covers with headlines like the *Buffalo Evening News*'s "125,000 KNOWN DEAD, DOWNTOWN IN RUINS." Even *Good Housekeeping* weighed in with a look at what would happen if St. Louis were nuked. As the era's horror-movie producers were also learning, scaring the bobbysocks off people is good business.

Rose nicely mixes his accounts of geopolitical strategists and petrified citizens with his descriptions of the lesser-known cast of characters who took up the task of protecting ordinary people from the mean new world. The effort to move beyond ducking and covering didn't get off to a strong start. "Until the mid-1950s," notes Rose, "civil defense planners spent a great deal of time preparing for a type of war that was closer to World War II." A government pamphlet informed people that splitting the atom was just another way to cause an explosion.

But as awareness of fallout increased, California Rep. Chet Holifield stepped into the breach, taking up the cause that would largely define his career. In a series of high-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

profile hearings, Holifield called for a massive shelter system, "the acid test of a national will to build an effective civil defense." Unfortunately for Holifield, that will wasn't there. In the 1955 run of Operation Alert, an annual exercise simulating nuclear attack on American cities, waving schoolchildren lined Eisenhower's route to one of the "secret sites" to which the president and 15,000 other federal employees were to repair. Plans for rapid evacuations of cities were blasted as "so much moonshine" by no less a figure than New York planning boss Robert Moses—a true believer in even the most farfetched postwar commuting schemes.

Of course, it wasn't just a case of practical failings. Philosophically, the notion of a mass shelter scheme had an enemy in Eisenhower, who thought it would signal that America had become a "garrison state"—unreliable to its allies in Europe and elsewhere. Ike shelved a report calling for expanded shelter construction.

With government uninterested, the private sector was left to build structures to sustain life through a nuclear winter. Pushed by the standard array of experts, ad men, and hucksters, the family shelter business took off in the early '60s, as tensions over Berlin rattled the world and as Defense Secretary Robert McNamara affirmed that the main responsibility for civil defense lay with heads of households themselves.

In the most domestic of eras, the backyard shelter—the hermetically sealed preserve of domesticity that breadwinner Dad built and homemaker Mom ran—remains a stirring metaphor. But the reasons few Americans took any steps whatsoever to build or find a fallout shelter ultimately say much more about cultural life under the threat of the bomb. Americans' inaction was Eisenhower's geopolitical question about the message sent by shelters, writ small.

From debates about whether a nation of shelter-owners would be more or less likely to stumble into war; to questions about whether a post-nuclear world would be worth surviving in; to all manner of moral dilemmas about whether to lock the shelter door on family, friends, and strangers, a country newly cognizant of imminent death grappled with questions about the meaning of life. Their answer—aided, no doubt, by the high costs and dubious practicality of many shelters—was, more or less, "let's just forget it," a perfectly logical reaction to the situation.

In examining the complex reactions of theologians, legislators, and ordinary people to the lure of the fallout shelter, Rose shows how the stolid citizens of pre-Vietnam America don't quite measure up to their security-at-all-costs modern stereotype. If the shelter of contemporary pop culture makes them and their subterranean cans look goofy, the fact that so few of them built the things makes them look a lot more interesting.

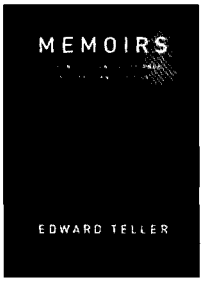
These days, of course, the stakes in our new debate over civil defense are much lower. And, precisely because the missile defense system George W. Bush hopes to build would be up above the country—and not just up above a specific family—the moral dilemmas are much less complicated. And yet one can't help but wish that the debate over Bush's own scheme, as a matter of policy, culture, or even technology, had just a little bit of the depth that's evident in the history Rose has unearthed.

MICHAEL SHAFFER *is an associate editor at* U. S. News & World Report.

Dr. Strangelove's Diary

By Andrew Cockburn

IN THE DECADES AFTER Hiroshima, most of the physicists who had conceived and built the first fission weapons and their thermonuclear successors had the grace to admit that there might be some drawbacks to their achievement. Many of these physicists lent their weight to lobbying for arms control, while the *Bulletin of the Atomic Scientists*, the house organ for such types, used as its banner the clever device of a clock set close to midnight to warn how close we were to extinction.



MEMOIRS:
A Twentieth Century Journey in Science and Politics
by Edward Teller
Perseus Books, $35.00

Edward Teller was always the exception among the original elite Los Alamos team. He really liked nuclear weapons, said so repeatedly, and resented prevailing prejudices against their further development and use. In an understandable paradox, he promoted the cause of his beloved monsters by arguing that they weren't really all that dangerous, deriding descriptions of their apocalyptic consequences as "dangerous myth" and citing the "fact" that streetcars were running in Hiroshima within three days of the first bomb—an utter canard (it actually took three months for mass transit to begin moving amid the nuclear ruins).

True to his beliefs, Teller argued forcefully for nonmilitary use of nuclear explosives in digging canals or gouging out harbors while energetically lobbying for ballistic missile defense (using nuclear weapons, of course) decades before he found a ready audience in Ronald Reagan. Some of his non-nuclear activities were hardly more appealing, most infamously his betrayal, through damning testimony, of his colleague and friend Robert Oppenheimer when the witch-hunters went after him in 1954—an act for which many old friends and colleagues never forgave him.

Now, at the age of 93, Teller has produced his memoirs. Not surprisingly, they present a kinder, gentler Teller, an engaging self-portrait of a brilliant gadfly who spent much of his life in the company of other genii, many of whom he had known since childhood. It is astonishing how the world was changed by a small group of Hungarians. During his last two years at school, for example, Teller met three young men who were, like him, from the Jewish community in Budapest: Eugene Wigner, John von

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Neumann, and Leo Szilard. They would talk after school about physics. Szilard later conceived the notion of an atomic chain reaction and went on to convince Roosevelt to start the American bomb project, while von Neumann and Wigner also played significant roles. Moving on to Germany and Denmark, Teller rubbed minds with other towering intellects, including Werner Heisenberg, Enrico Fermi, Hans Bethe, Lev Landau, and Niels Bohr.

These brilliant physicists were a close fraternity, and even Heisenberg, who remained in Hitler's Germany while the others fled, retained the affection of his peers. It was Teller himself who poisoned the punchbowl by his role, sparked by ambition and old jealousies, in the downfall of Oppenheimer.

Teller himself protests in his memoirs that he hadn't really meant to damage Oppenheimer and that his role in the security hearings had been a reluctant one. But he protests a little too much. Teller was a most helpful source for the FBI agents investigating the man who had directed Los Alamos on suspicion of spying for the Soviets. He also urged that Oppenheimer be charged with giving "consistently bad advice," curbing the development of the hydrogen bomb. Penning his memoirs almost half a century later, Teller recalls plenty of disobliging stories about his old colleague and friend, suggesting that the rancor has not died away.

The H-bomb was Teller's greatest love, and he pursued it with undeviating passion even during the war, to the irritation of colleagues who were still trying to figure out how to make an A-bomb work. (I could never understand why they kept him around.) Hence his chagrin at the fact that the conceptual breakthrough that made the (American) thermonuclear weapon possible has always been attributed to him and Stanislaw Ulam jointly. "What's this?" he exclaimed when shown the patent application for the H-bomb, which Ulam had already signed. "I am the inventor of the hydrogen bomb." His peevishness has evidently not died away, given his painstaking efforts in these pages to demonstrate that Ulam does not deserve any real credit for this dubious achievement.

Today, in his semi-dotage, Teller must be a happy man. Most of the peers who so despised him for his actions in the Oppenheimer affair are long dead. The communist system that he hated with such unbridled passion has been utterly vanquished, but without extinguishing the market for some of his favorite weapons concepts. And George W. Bush is ready to pour money into the latest incarnation of ballistic missile defense, an idea no more feasible today than it was when Teller first started talking about it back in the 1950s.

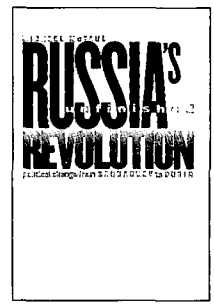
ANDREW COCKBURN *is the author of* Out of the Ashes: The Resurrection of Saddam Hussein.

Absolut History

By Markos T. Kounalakis

MUTUALLY ASSURED HEADLINES was the operational doctrine of newspapers during the height of the outwardly cool, yet constantly simmering, conflict between Moscow and Washington that ended nearly a decade ago. Since that time, Russian news has slowly, yet steadily, migrated from Page 1 to the business sections of American dailies.

Chandra replaced Chechnya in the news hole as the Soviet superpower broke down from a threatening nuclear adversary to a diminished (though nuclear-armed) Russian state. The prevailing news trend gives the popular impression that Russia is on the irreversible—if somewhat rocky—road to a functioning market economy and electoral democracy.



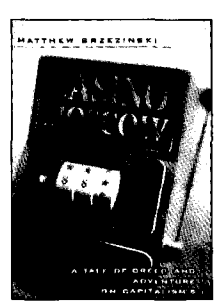
RUSSIA'S UNFINISHED REVOLUTION: Political Change from Gorbachev to Putin
by Michael McFaul
Cornell University Press, $35.00

Two new books chart that progress and fill in the missing context and color of the often ignored, but dramatic story born in revolution 10 summers ago. *Russia's Unfinished Revolution* by Michael McFaul and *Casino Moscow* by Matthew Brzezinski are unintentionally complementary volumes.

McFaul gives an erudite and well-documented history of the last 15 years, from Gorbachev to Putin. Brzezinski's personal anecdotes and journalistic observations flesh out McFaul's solid outline.

Most of us lack the power of President George W. Bush to divine instantly a Russian leader's soul and intentions, so a historical review of how Russia got to Putin is helpful in guessing its future moves. McFaul starts his story with Gorbachev, the once all-powerful, all-controlling Soviet leader who introduced perestroika and glasnost into a system where "simultaneous political and economic change had a logic of their own that eventually could not be controlled." The details of these developments do not get lost in McFaul's telling of the story, and his step-by-step analysis of political and electoral events reinforces their significance.

McFaul deftly takes us through the failed first republic that culminated in the shelling of the Russian White House and the establishment of a new political order in 1993—what he refers to as the second Russian republic. The result is a country where, despite the many imperfections of its electoral democracy, leaders are voted in and the law has a basis in the constitution.



CASINO MOSCOW
by Matthew Brzezinski
Free Press, $25.00

The author, a political science professor at Stanford and a senior associate at the Carnegie Endowment for International Peace, came to study the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Russian revolution somewhat by accident; he was focusing on revolutionary change in Africa and while researching such movements in Moscow, found that he was in the midst of something too big to ignore.

McFaul brings striking firsthand experience to bear: The access he managed to obtain, and the time he spent with the revolution's various political players, brings fresh material and keen insight to the story.

Brzezinski's book opens with an incident of startling violence: a break-in at the author's Kiev apartment during which he is beaten to a bloody pulp during a fruitless robbery attempt. Brzezinski, who was then a *Wall Street Journal*-stringerand later a staffer, uses his survivor's perspective to highlight the grim absurdity of the event that nearly left him dead.

Casino Moscow is a personal look at expatriates, economics, ethically challenged politicians and businessmen, and the place of the ex-Commie cowboy in the "Wild East"during the latter part of McFaul's second Russian republic. Brzezinski, a Canadian of Polish extraction (and nephew of Carter National Security Council chief Zbignew Brzezinski), seems to appreciate the eastern European absurdist tradition, which allows him to maintain an ironic distance between observation and emotion.

Or perhaps Brzezinski's perspective is less absurdis, than it is reflective of the humorous vein that foreign correspondents use to speak to each other about the daily routines and small ironies we're subjected to while reporting. We all have our favorite stories, and love to share details of the Aeroflot flight from hell or the meal that bites back. And we all love to characterize the dire situation in Russia by using the time-honored form of the revealing Russian anecdote: for the economy, the woman on the sidewalk with only one sock to sell, and for alcoholism, doing shots of NyQuil after the vodka's run out. But Brzezinski has done a remarkable job of collecting those anecdotes and creating a cohesive, enlightening collection of stories that adds individual, ephemeral, and entertaining detail to McFaul's grand historical sweep.

Brzezinski brings to life the characters of modern Russia's greed and adventure—larger than life figures like the cosmopolitan Chechen Umar Dzhabrailov, on whom the author Frederick Forsyth modeled the mafia-like character in his book *Icon*. "Umar," as the press referred to him, was the hotel-owning business partner of Paul Tatum, the American with whom Umar had a public disagreement and who later was assassinated in front of his landmark Radisson Slavyanskaya.

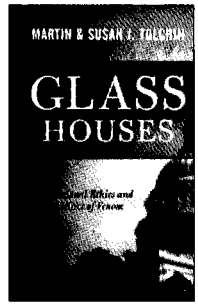
As the Bush administration prepares to celebrate the 10th anniversary of the victory over Soviet communism, the Russia that's emerged continues to play a critical role in today's foreign policy initiatives, from the ABM treaty to Chinese containment. And while Putin may not have the charisma to capture American headlines, Russian oil reserves will continue to entice speculators. McFaul and Brzezinski have done a good job at helping the claim jumpers and latter-day Cold Warriors ground any fantasies they may have in the accurate and often gritty reality.

MARKOS T. KOUNALAKIS *was the NBC-Mutual News Moscow correspondent from the August coup in 1991 through the First Russian Republic.*

Ethics for Dummies

by Nicholas Confessore

IT'S HARD TO IMAGINE NOW, but there was a time in the mid-1960s when the creation of permanent, bipartisan ethics committees in the House and Senate seemed like a positive step toward open and accountable politics. The Clinton years, however, were not kind to such hopes. Over the past decade, an overly collegial congressional ethics process has given way to the interminable, vicious witch hunts that characterized the Republican Congress. So perhaps the time is ripe for a lucid examination of the Congressional ethics process, a book that cuts through the thicket of hypocrisy and pseudo-scandal to offer thoughtful analysis and intelligent solutions.



GLASS HOUSES: Congressional Ethics and the Politics of Venom
by Martin Tolchin and Susan Tolchin
Free Press, $25.00

Glass Houses: Congressional Ethics and the Politics of Venom is not that book. Which is too bad, because the book's authors—Martin Tolchin, editor of *The Hill*, and Susan Tolchin, a professor of public policy at George Mason University, would seem well-suited to the task. The Tolchins are clearly well-acquainted with their subject. They've interviewed dozens of key members of Congress and compiled a range of tidbits and anecdotes. (Bribing your congressman was outlawed in 1853. Who knew?)

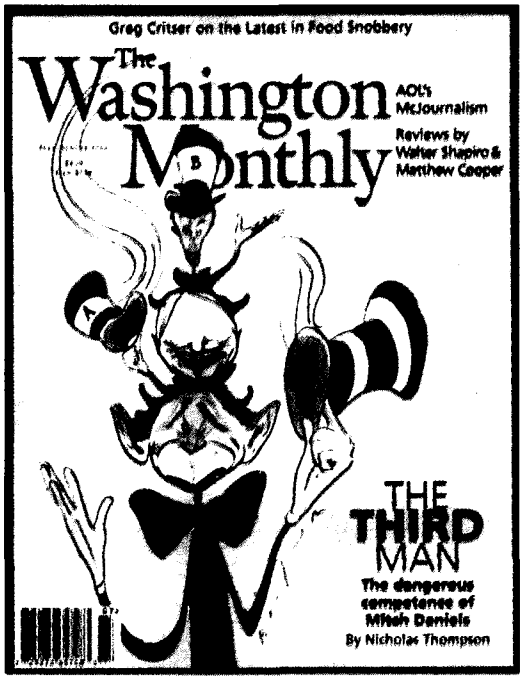
In a series of brisk chapters, the authors explain how most of today's tangle of Congressional rules and regulations arose more or less ad hoc, usually in the wake of some particularly spectacular outrage. They trace the slow, convoluted evolution of modern Congressional ethics scandals, from Joe McCarthy to Abscam and the Keating Five, to the various sex scandals of the last decade, to a 1995 case in which aides to Rep. David MacIntosh forged budget documents in an attempt to discredit the liberal group, Alliance for Justice.

This history is revealing: rather than rely on any cogent, rational process, successful prosecution and punishment has more often hinged on the intensity of public pressure, the popularity and power of the offender, or the willingness of reformers to upset the status quo. Party leaders practically have to bribe their members to serve on ethics committees; those who do serve find themselves torn between loyalty and principle, and investigations often end in partisan stalemate. Not surprisingly, politics frequently trumps fairness. John McCain only became part of the Keating Five when angry

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

This Holiday, Give Them Frankness, Sense, and Mirth ...

Give everyone on your list something they can really use: ***The Washington Monthly.*** Now you can share us with friends at a great price! You get the first subscription for $26, then every additional subscription for only $18!



SPECIAL HOLIDAY GIFT OFFER

Please enter a one-year (10 issues) gift subscription for:
(*The gift can be for yourself if you are a new subscriber.*)

1
Name _____
Address _____
City _____ State____ Zip____
Gift Card Message _____
_____

2
Name _____
Address _____
City _____ State____ Zip____
Gift Card Message _____
_____

3
Name _____
Address _____
City _____ State____ Zip____
Gift Card Message _____
_____

MY NAME _____
Address _____
City _____ State____ Zip____

__ Bill me later
__ Payment enclosed
__ Credit card payment:
Charge my (please circle) VISA or MasterCard
Account number _____
Exp. date _____ Signature _____

A1A01

MAIL TO: ***The Washington Monthly***
733 15th Street, NW
Suite 1000
Washington, DC 20005

Foreign subscriptions please add $7 for surface delivery or $32 for air-mail delivery for each subscription.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

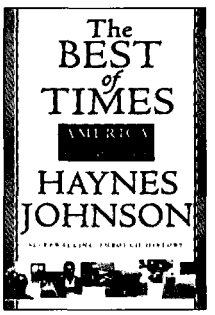
Democrats insisted on including a Republican in the hearings, even though McCain's offenses didn't match those of Democrats Alan Cranston, John Glenn, Dennis DeConcini, and Don Riegle.

But readers won't get much more than that brief history. Most of *Glass Houses* is poorly written and organized, and the authors have a frustrating habit of contradicting even their most basic assertions. Shortly after declaring that Congress "never arrived at any consensus about which sins should destroy careers and which should not," the Tolchins change tack and tell us that, in fact, Congress has been "aided and abetted by the media in distinguishing which peccadilloes disgrace the institution and which can languish under wraps." So which is it? Has the destructive power of the ethics process become "too scary to contemplate"? Or have congressmen "learned to live and prosper under the existing system" as the authors tell us a few pages later?

Such ambiguity would be permissible if it led to a persuasive thesis. Unfortunately, it doesn't. A chapter titled "The Noble Lie" promises to untangle "modern ethical dilemmas," but instead meanders through an unilluminating survey of negative ads, broken campaign pledges, and the Harvard philosopher Sissela Bok. And in a chapter devoted to the travails of Anita Hill, Bob Packwood, and Bill Clinton, the authors conclude, underwhelmingly, that "a higher standard of behavior is expected of lawmakers than ordinary citizens expect of themselves." All of this hints at the book's overriding problem—its disappointing lack of ambition. *Glass Houses* provides little of the "new information" and "new interpretations of past ethics cases" it promises. And though the authors aspire to present a definitive study of the congressional ethics process, what they've produced is at best a primer.

They do touch on one important paradox: There is little doubt that campaign finance reforms, sunshine laws, and tighter disclosure rules have made Congress steadily more transparent and accountable to the public; by pre-Watergate standards, the authors observe, today's Congress is probably less corrupt than at any time in history. But public opinion of the institution has never been lower. The better we know our politicians, it seems, the less we like them. Why? It's a good question, and one that suggests any number of more precise inquiries—into the interplay of media coverage and public perception, or the inconsistency of ethics regulations, not to mention the Republican majority's neglect of traditional oversight functions in favor of dubious "ethical" inquiries, which may have soured the public on the possibility of a rational ethics process. But nowhere do the authors advocate concrete ideas for how to improve the process, or even a working definition of what should be considered under the rubric of "ethics." Unfortunately, *Glass Houses* ends precisely where it should begin.

NICHOLAS CONFESSORE *is a senior writer for* The American Prospect.



THE BEST OF TIMES:
America in the Clinton Years
by Haynes Johnson
Harcourt Brace, $27.00

Clinton Cliffs

By Jonathan Alter

HAYNES JOHNSON'S BASIC approach in his new book, *The Best of Times* and in a half dozen other books is to pull together a whole bunch of clips and interesting statistics, interview some of the players, and then offer a mile-wide and inch-deep "social history" of the times. You've got to admire his energy and ambition—it's Frederick Lewis Allen without the wit, but chock-a-block with information. If you were living on Pluto during the 1990s, or like many Americans, so busy at work that you had no time for reading about current events, then this book will be of great value. If, like me, you have paid lots of attention to some categories of news and have given short shrift to others, the book will be of partial value.

For instance, I had heard of Craig Venter of the Human Genome Project but didn't read as much about him in newspapers and news magazines as I should have. So the section about Venter was highly useful—a refresher on important developments for our species. Same goes for the discussion of Monsanto and genetic engineering. In fact, everything in the section called "Technotimes," starting when Johnson has the good sense to revive the importance of Vannevar Bush and the early commitment to basic research, was a kind of *Cliffs Notes* for critical stuff that would be on any final exam in Educated Person 101.

But who needs a cheat sheet to O.J. or Monica? Broad sections of the book recount hugely familiar events, and although there are a few giblets not widely known, they're of the minor variety—like the fact that Dale Bumpers gave his famous impeachment speech only under intense pressure from Clinton. After a while, you lose faith in Johnson's ability to sort through the mountains of material, much less analyze the era with sufficient freshness. He describes a wrap-up in *The Economist* after Clinton's impeachment trial as "brilliant" when all of the points in it had become conventional wisdom in the American press months before. The book's bulk makes you think Johnson and his researchers did a thorough scrub. But many important and original articles didn't catch their eye.

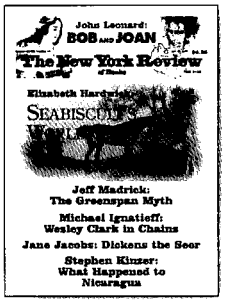
That's a shame because I think Doris Kearns Goodwin's blurb on the back of the book is right—historians will turn to Johnson when researching America during the Clinton years. His basic take—that the era was one of great technological advances and squandered political opportunities—is solid enough. But *The Best of Times* doesn't go deep enough. Future students of the 1990s will need to toss the *Cliffs Notes* aside and review the original sources themselves.

JONATHAN ALTER *is a columnist at* Newsweek.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

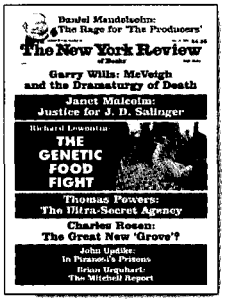
"the premier literary intellectual magazine in the English language"*

Subscribe now and Save over 62%



For over thirty-five years contributors to *The New York Review of Books*—including Gore Vidal and James Fenton, Susan Sontag and Garry Wills, Joan Didion and Joyce Carol Oates, plus many more—have stepped outside their roles as authors and artists, poets and scientists, prime ministers and presidents to write essays and critical reviews of works from their peers and others. Encompassing much more than literature, *The New York Review of Books* covers art, politics, science, history, education and music with incomparable wit, clarity, and brilliance.

20 Issues You'll enjoy a full year's subscription of 20 issues for just $32—that's almost 50% off the regular subscription rate of $62, and a saving of $53 (over 62%) off the newsstand price.



A Free Book You'll receive—absolutely FREE—*After Clinton*, a paperback collection of essays on 2000 presidential campaign and on Bill Clinton's two terms in office. Here you'll find essays by Lars-Erik Nelson on George W. Bush, John McCain and "Clinton & His Enemies." Louis Menand writes on Al Gore and Bill Bradley, and Anthony Lewis describes what he believes was almost a *coup d'état*.

A No-Risk Guarantee If you are unhappy with your subscription at any time, you may cancel. We will refund the unused portion of your subscription cost. What's more, *After Clinton* is yours to keep as our gift to you for trying *The New York Review.*

*Esquire

The New York Review of Books

Return to: Subscription Department, PO Box 23166, Jackson, MS 39225-3166

☑**Yes!** I would like to subscribe to *The New York Review* at the one-year (20 issues) introductory rate of only $32. I save over 62% off the newsstand price, and with my paid subscription, I will also receive *After Clinton*—FREE. And, I understand that I may cancel at any time and will be refunded for the unused portion of my subscription.

Name _____

Address _____

City/State/Zip _____

NS01J920A

❑ $32 enclosed* Charge my: ❑ AmEx ❑ MasterCard ❑ Visa ❑ Bill me. (for US only)

Credit Card Number _____

Expiration Date/Signature _____

FREE BOOK with this offer!

For faster service, fax your credit card orders to: **(601) 353-0176.**

Please include your own phone and fax number in case of questions. *If you fax this order, do not also mail it.*

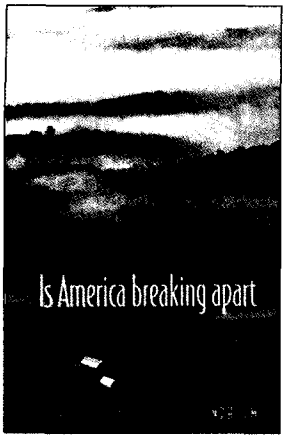
*Make checks or US money orders payable to The New York Review of Books. We accept US Dollars drawn on a US bank, Canadian Dollars drawn on a Canadian bank, or Pounds Sterling drawn on a UK bank. We cannot accept international money orders.

Rates Outside the US: Canada: $52/$73CDN. Rest of World Regular Post (recommended for Europe only): $62/£40. Rest of World Print Flow Air Post (recommended for the Far East, Australia, Africa, New Zealand, and South America; 2–3 week delivery time): $89/£58. Credit card orders will be charged in US Dollars rates shown. Please allow 6 to 8 weeks for delivery of your first issue.

This offer is for new subscribers only. Offer expires September 1, 2002.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

New in Paperback



With a new preface by the authors

Is America Breaking Apart?

John A. Hall and Charles Lindholm

"Mr. Hall's and Mr. Lindholm's overall intention is to show how the United States has held together since the Founding, why it shows every promise of continuing to do so, and what are the positive and negative aspects of that history and present state of affairs.... [A] short, stimulating book."
—Colin Walters, *Washington Times*

"A brisk, unusually lively tour through American history and habits."
—Carlin Romano, *Philadelphia Inquirer*

Paper $14.95 ISBN 0-691-09011-4

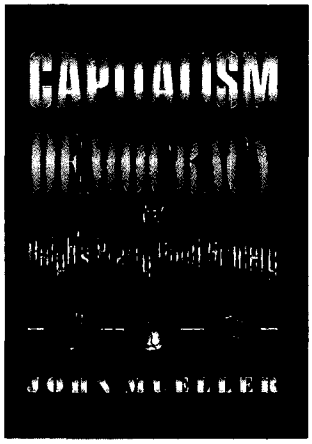
Capitalism, Democracy, and Ralph's Pretty Good Grocery

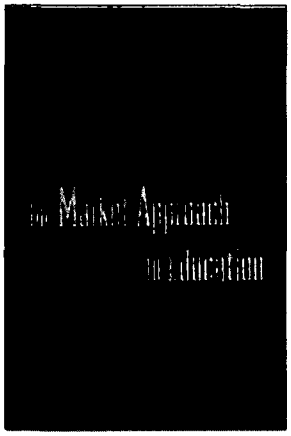
John Mueller

"Mueller is an entertaining guide through economic and political history, using references to Shakespeare, Adam Smith, Hume, Mencken, and many more writers to produce deft explanations of complex ideas."—*Publishers Weekly*

"Mueller's provocative book deserves a wide audience.... [He] writes sharp, brisk, and witty prose that is unfailingly lucid."—Daniel J. Silver, *Weekly Standard*

Paper $17.95 ISBN 0-691-09082-3





The Market Approach to Education

An Analysis of America's First Voucher Program

John F. Witte

"*The Market Approach to Education* is passionate in identifying where the real problems in education reform lie and in dismissing self-serving arguments that get in the way of helping children who desperately need help. The book's content is wide-ranging."—Jennifer Hochschild, author of *Facing up to the American Dream*

"Witte has written a careful and sober analysis of the evidence—and lack of evidence—on key issues."—Gary Orfield, author of *Dismantling Desegregation*

Paper $18.95 ISBN 0-691-08983-3

Princeton University Press 800-777-4726 • WWW.PUP.PRINCETON.EDU

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED